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DOCUMENTARY HISTORY

OF THE

DESTRUCTION OF THE GASPEE.

COMPILED FOR THE PROVIDENCE JOURNAL.

BY HON. WILLIAM R. STAPLES.

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PROVIDENCE
KNOWLTON, ROSE AND ANTHONY
1845.

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DESTRUCTION OF THE GASPEE.

The first appearance of his Majesty's armed schooner, the *Gaspee*, in the waters of Narragansett Bay, was in March, 1772. She was despatched here by the Commissioners of Customs to prevent breaches of the revenue laws, and to put a stop to the illicit trade that had been successfully carried on for a long time in this colony. Soon after her arrival the following letter was sent by Deputy Governor Darius Sessions, then residing in Providence, to Governor Joseph Wanton, of Newport:

PROVIDENCE, March 21, 1772.

SIR:—The inhabitants of this town have, of late, been much disquieted in their minds, by repeated advices being brought of a schooner which for some time past hath cruised in the Narragansett Bay and much disturbed our Navigation. She suffers no vessel to pass, not even packet boats, or others of an inferior kind, without a strict examination, and where any sort of unwillingness is discovered, they are compelled to submit, by an armed force. Who he is and by what authority he assumes such a conduct, it is thought needs some inquiry, and I am requested, by a number of gentlemen of this town, on their behalf, to acquaint your Honor therewith, and that you would take the matter into consideration and, if the commander of that schooner, has not as yet made proper application and been duly authorized in his proceedings, that some proper measures be taken to bring him to account.

It is suspected he has no legal authority to justify his conduct, and his commission, if he has any, is some antiquated paper, more of a fiction than any thing else, and this seems to be confirmed by Mr. Thomas Greene, who says he saw it, and believes it to be no other than the commission the famous Reid had, who lost his sloop at Newport, or something else of no validity. In consequence of the above mentioned application, I have consulted with the Chief Justice thereon, who is of opinion, that no commander of any vessel has any right to use any authority in the Body of the

Colony without previously applying to the Governor and showing his warrant for so doing and also being sworn to a due exercise of his office—and this he informs me has been the common custom in this Colony.

I am, sir, with the greatest respect, your Honor's most obedient and humble servant,

DARIUS SESSIONS.

GOV. WANTON.

The "famous Reid," above referred to, was master of the armed sloop *Liberty*, which the commissioners sent to Newport in 1769 for the suppression of illicit trade.—Capt. Reid exhibited a laudable zeal to execute his orders. Dressed in a little brief authority from the government at home, he little regarded the supposed rights of the colonists. He seemed inclined to consider that his commission warranted the exercise of unrestricted authority over Americans, and he required from them the same passive obedience to his orders which had been the fashionable court doctrine in some previous reigns. On the 17th of July, he carried into the harbor of Newport a brig and a sloop taken in the Sound, on suspicion of their being engaged in illicit trade. No proof was exhibited against the brig. Capt. Packwood, who commanded her, had reported his cargo at the custom house previous to his sailing.—On the 19th, no prosecution having been entered against him or his vessel, Capt. Packwood went on board the *Liberty* to get some of his clothes which had been transferred to that vessel, in order to proceed on his voyage. Capt. Reid was not on board, but the commanding officer refused to deliver up the things required, and offered personal violence to Capt. Packwood. He succeeded, however, in forcing his way over the side of the *Liberty* into his boat. Before he reached

the wharf, several muskets were discharged at him, but without effect. The Liberty was then lying between Long Wharf and Goat Island. In the evening Capt. Reid was met on the wharf as he was going on board the Liberty, by a large concourse of people, and was required to send for the Liberty's men to come on shore. Soon after they had landed, the Liberty was boarded, brought to Long Wharf and there scuttled, her masts cut away, and her boats taken out and carried to the Common in Newport and there burnt. The Liberty was afterward towed over to Goat Island near where the Light-house now is, where she was subsequently burnt. The brig received her papers from the custom house and proceeded on her voyage. The sloop escaped. No inquiry was instituted as to the authors of this outrage on one of his Majesty's vessels.

The letter from Deputy Governor Sessions led to the following correspondence between the Governor and the commanding officer of the schooner:

NEWPORT, Rhode Island,
 March 22, 1772. }

SIR:—A considerable number of the inhabitants of this Colony have complained to me of your having, in a most illegal and unwarrantable manner, interrupted their trade, by searching and detaining every little packet boat plying between the several towns. As I know not by what authority you assume this power, I have sent off the high sheriff, to inform you of the complaint exhibited against you, and expect that you do, without delay, produce me your commission and instructions, if any you have, which was your duty to have done when you first came within the jurisdiction of this Colony.

I am your humble servant,

J. WANTON.

To the commanding officer of a schooner near Brenton's Point.

—
GASPEE, Rhode Island, March 23, 1772.

SIR:—Last night, I received your letter informing me that a "number of the inhabitants of this Colony had complained" to you of my having "in a most illegal and unwarrantable manner interrupted their packet boats, plying between the several towns."

In answer to which, I have done nothing but what was my duty, and their complaint can only be founded on their ignorance of that. When I waited on you, on my arrival, I acquainted you of my being sent to this government to assist the revenue. I had my commission to show you if required, as it was ever understood by all his Majesty's governors I have had the honor to wait on,

that every officer commanding one of his Majesty's vessels was properly authorized and never did produce it, unasked for. The officer I send is equally qualified, and has been in the boats in boarding most of the vessels, and can give any information relative to my proceeding.

Sir, your humble servant,
W. DUDDINGSTON

—
NEWPORT, Rhode Island,
 March 23, 1772. }

SIR:—Yours of this day I have received, which does not give me that satisfaction I had a right to expect; neither was the bearer of the letter qualified to give me any authentic information respecting the legality of that authority you have presumed to exercise within this Colony. I expect that you do without delay, comply with my request of yesterday, and you may be assured that my utmost exertions shall not be wanting to protect your person from any insult or outrage on coming ashore.

I am your humble servant,

J. WANTON.

To Mr. W. DUDDINGSTON, of the Schooner Gaspee.

—
Here ended the correspondence between the Governor and the Lieutenant. It would seem that the Lieutenant's sense of propriety was shocked, by the letters of the Governor, implying as they do, a right to control, in some degree, the proceedings of one of his Majesty's officers, while within the colony.

He therefore enclosed the letters to Admiral Montagu, then commander-in-chief of his Majesty's fleet on this station. The Admiral sympathised with the Lieutenant. He felt his own dignity wounded in the requisition made by the Governor on his Lieutenant. Forgetting that he was the Governor of a colony of free Englishmen, elected by themselves, and not a royal governor of a Province, who held his office at the will of the King, Admiral Montagu addressed the following letter to Gov. Wanton:

BOSTON, 6th April, 1772.

SIR:—Lieutenant Duddingston, commander of his Majesty's armed schooner and a part of the squadron under my command, has sent me two letters he received from you of such a nature I am at a loss what answer to give them, and ashamed to find they come from one of his Majesty's Governors. He informs me that he waited upon you and showed you the admiralty and my orders for his proceedings, which, agreeable to his instructions, he is to do, that you may be acquainted that he is on that station to protect your province from pirates and to give the

trade all the assistance he can, and to endeavor, as much as lays in his power, to protect the revenue officer, and to prevent (if possible) the illicit trade that is carrying on at Rhode Island.

He, sir, has done his duty and behaved like an officer, and it is your duty as a governor, to give him your assistance, and not endeavor to distress the King's officers for strictly complying with my orders. I shall give them directions, that, in case they receive any molestation in the execution of their duty, they shall send every man so taken in molesting them, to me. I am also informed, the people of Newport talk of fitting out an armed vessel to rescue any vessel the King's schooner may take carrying on an illicit trade. Let them be cautious what they do; for as sure as they attempt it, and any of them are taken, I will hang them as pirates. I shall report your two insolent letters to my officer, to his Majesty's Secretaries of State, and leave them to determine what right you have to demand a sight of all orders I shall give to all officers of my squadron, and I would advise you not to send your Sheriff on board the King's ship again, on such ridiculous errands. The Captain and Lieutenant have all my orders, to give you assistance whenever you demand it, but further you have no business with them, and, be assured, it is not their duty to show you any part of my orders or instructions to them.

I am, sir, your most humble servant.

J. MONTAGU.

This produced the following spirited answer:

RHODE ISLAND, May 8, 1772.

SIR:—Your letter dated April the 8th at Boston, I have received. Lieutenant Duddingston has done well in transmitting my letters to you, which I sent him; but I am sorry to be informed there is any thing contained in them that should be construed as a design of giving offence, when no such thing was intended. But Mr. Duddingston has not behaved well in asserting to you "he waited on me and showed me the admiralty and your orders for his proceedings which agreeable to his instruction he is to do," but in that he has altogether misinformed you, for he, at no time, ever showed me any orders from the admiralty or from you, and positively denied that he derived any authority other from you or the commissioners; therefore, it was altogether out of my power to know, whether he came hither to protect us from pirates, or was a pirate himself.—You say "he has done his duty and behaved like an officer." In this I apprehend you must be mistaken, for I can never believe it is the duty of any officer, to give false information to his superiors. As to your attempt to point out what was my duty as Governor, please to be informed, that I do not receive instructions for the administration of my gov-

ernment, from the King's admiral stationed in America. You seem to assert that I have endeavored to distress the King's officer, for strictly complying with your orders. In this you are altogether mistaken, for I have at all times heretofore, and shall constantly for time to come, afford them all the aid and assistance in my power in the execution of their office. The information you have received "that the people of Newport talked of fitting out an armed vessel to rescue any vessel the King's schooner might take carrying on an illicit trade," you may be assured is without foundation, and a scandalous imposition, for upon inquiring into this matter, I cannot find that any such design was ever made, or so much as talked of; and, therefore, I hope you will not hang any of his Majesty's subjects belonging to his colony upon such false information. I am greatly obliged for the promise of transmitting my letters to the Secretary of State. I am, however, a little shocked at your impolite expression made use of upon that occasion; in return for this good office, I shall also transmit your letter to the Secretary of State, and leave to the King and his ministers to determine on which side the charge of insolence lies. As to your advice not to send the Sheriff on board any of your squadron, please to know, that I will send the Sheriff of this Colony at any time, and to any place, within the body of it, as I shall think fit. In the last paragraph of your letter you are pleased flatly to contradict what you wrote in the beginning; for there you assert that Duddingston, by his instructions, was directed to show me the admiralty and your orders to him, and here you assert, that I have no business with them, and assure me that it is not his duty to show me them or any part thereof.

I am, sir, your humble servant,

J. WANTON.

The Governor laid the preceding letter from Admiral Montagu before the General Assembly, at their May Session 1772, and the following resolution passed that body in relation to the answer sent to the Admiral.

Resolved, That his Honor the Governor be requested to transmit a copy of the written letter to Admiral Montagu, and likewise, that his Honor, the Governor, be requested to transmit to the Secretary of State, a narration, containing the proceedings referred to in said letter, together with a copy of the Admiral's letter, as soon as may be, and that he present a copy thereof to this Assembly at the next session of the same."

The letter of the Governor led to some further correspondence between the Admiral and the Lieutenant, of which only the following letter has been obtained:

SIR:—I have received your letters of the 14th and 15th inst and copy of commission-

ers to you. By theirs, I see plainly, I cannot look to them to be supported for sending the sloop and run to Boston, notwithstanding I was assured by their officers at this port, no seizure could be safe with them.—There was only the alternative to send her or remain in this harbor and guard twelve hogsheads of rum, a bait, the inhabitants of this government would willingly put in my way, if that could fix the schooner. I was not, at the time, ignorant of the statute to the contrary, but never doubted if the sloop got safe I should be supported by them, as I informed the board. The owner of the rum resided in Coventry, which is but little further from Boston than Newport, of course could, at as little expense, defend his property at the one as the other. As I find the exigencies not considered but law referred to by them, for the future shall take care not to act repugnant to it, let what may be the consequence. If I should have any doubt about that, will take the opinion recommended to their officers relative to the officers in the Navy being arrested here by the Attorney General. I shall be on my guard not to put it in their power to arrest me or any officer under my command in this government.—What passed between the governor and me was, near as I can recollect, what follows. The morning after my arrival from Boston was when I first saw him.

Sir, I command his Majesty's schooner Gaspee, and am ordered into this government by Admiral Montagu, to assist the revenue.

Governor—Is it the schooner Capt. Allen commanded? (meaning the Lieutenant I superseded.)

Lieut. D.—Yes.

Governor—We have had many different schooners here lately, (mentioning the *Sultana*, *St. John* and *Halifax*.)

Lieut.—Yes; and you may remember me here about two years ago when the Colonels Dalrymple and Robinson came with me. (I am not sure whether he said he did or not.)

Governor—What vessel was that which seized the Packet?

I told him whom she was commanded by and belonged to, and my being there at the time, and said, it would not have happened had the officer come near the *Gaspee*, which was his duty, with more on the subject too trivial for you to hear. He then related the conduct of the Collector and Mr. Reid, late commander of the custom house sloop *Liberty*, and said it was in their power to have saved her before she had received much damage, and said he would not mind what they represented concerning him, if they had told facts. I said I had heard it other wise mentioned, but hoped I should meet with no difficulty in the execution of my duty.

Governor—You may depend on my support and assistance.

I then observed, it was not clear to me if I made a seizure it would be safe.

Governor—I will do all in my power.

I then instanced what had been the fate of one made by the officers of the port a little before, and added, I did not think if I made one I should put it to the trial.

Governor—I suppose you will be much here. I shall always be glad to see you.

Lieut. D.—I shall be where I find I can best execute the service. I was much obliged to him.

Governor—I hope, Captain, we shall have a good understanding.

I said it was my wish, and should give him as little trouble as possible. Much was said about his government and police, but never did he ask me to show my orders, or even mention them. The weather kept me some days in the harbor, and I was in company with some of his friends, but never heard my authority questioned, till I sent the sloop to Boston, on my return here, at which time I gave him my reason in a letter, a copy of which I enclose to you, for not showing my orders, as he, till then, had never required me to do so, at which time I sent them by an officer, which I informed you of. I must now her leave to observe, if he had asked me to show my orders, if possible I should believe so much unlike an officer and gentleman, in telling a falsehood, by doing which I must be ruined as an officer and in reputation forever? The fallacy is easily seen when it is considered, the only thing that makes the schooner respected, is said to be denied by me. Had such an assertion come from a private character, I should hope for reparation for an attempt to wound my reputation as an officer. In my present situation I have only to hope my person will be respected as an officer as much as any Governor, who can make it appear by no better evidence than an old woman and clerk in the naval office, and not in the station of a gentleman, and I do not think either would be base enough to witness so great a falsehood. As to his letter, it cannot be looked upon as his but the Assembly's, where it was put to the vote to answer your letter or not. They were all for the answer, the Governor alone, for sending it to Lord Hillsborough. Mr. Greene is one of the house, the owner of the rum. I could expect no quarter from people of that stamp. On the 20th the sloop was condemned. I have taken the liberty to enclose my letter to the Commissioners for your perusal, open, as it was the intention of the people here to have the sloop sold in the manner they have been used to, which always falls into the old owners' hands without opposition. I hope soon to have the board's answer to determine her destination.

I am, sir, your most obedient and humble servant,

W. DUDDINGSTON.

Admiral MONTAGU. } GASPEE, May 22, 1772.
RHODE ISLAND.

At the next session of the Assembly, which was in August following, Gov. Wanton presented a copy of his letter to the Secretary of State, which was as follows :

NEWPORT, Rhode Island, May 20, 1772.

My Lord :—In conformity to a vote of the General Assembly of this colony, I herewith transmit your Lordship a copy of a letter I received from Admiral Montagu and the answer: They have also requested me to transmit to your Lordship a narrative of all the proceedings referred to in said letter.

As Admiral Montagu has endeavored to fix a stigma on my character and administration as Governor of this Colony, by charging me with attempting to distress the King's officers from strictly complying with his orders, your Lordship will indulge me with giving a short account of my proceedings, by which the ungenerous accusation of Admiral Montagu will, I flatter myself, appear not to have the least foundation in truth.

On the 21st of March last, a number of the inhabitants of this colony, gentlemen of established character, and whose loyalty to their Sovereign is not to be questioned, exhibited to me a complaint in writing, that a certain schooner was cruising in the Narragansett river, boarding every vessel and boat that passed, and otherwise interrupting them in the pursuit of their lawful business; and not knowing by what authority the persons belonging to said schooner exercised that power within the body of the colony, requested me to make such enquiry concerning the same as was consistent with law. It, therefore, became my indispensable duty, in order to satisfy the complaints, to demand of the commanding officer of said schooner, the reason of his thus acting, and whether he was vested with such power as would justify his proceedings, which produced my letter to him of the 22d of March. It was answered by Wm. Duddingston, of the schooner Gaspee, but, as he did not give me that satisfaction I conceived I had an indisputable right to expect, I wrote another letter, whereupon he sent me by one of his officers, an order from the Lords of the Admiralty, for his commanding the schooner Gaspee; also their letter to the commissioners at Boston requesting that board to give him a deputation in the customs, both which I returned to the officer in the same hour he brought them, without attempting in the least to distress or oppose him in the execution of his duty.—This, my Lord, is a true state of facts, and, I believe, your Lordship is convinced that, in my proceeding, I have done nothing but what was my duty, and that Admiral Montagu's accusation is as groundless as it is liberal.

When I wrote my first letter, I do upon honor declare, that I did not know whether the schooner complained of was the Gaspee or not, and even if I did, in my opinion I am

justifiable, as I was entirely unacquainted with Mr. Duddingston's authority, either as an officer in the revenue or navy; and, I do not believe, he had any right to officiate as a custom house officer within the body of this colony, before he had communicated to me, or some proper authority, his commission for so doing. I must not omit mentioning, that the information which Admiral Montagu says he has received that the people of Newport talk of fitting out an armed vessel to rescue any seizures which may be made by the King's vessels, is, your Lordship may be assured, a malicious representation, calculated, by the enemies of our happy constitution, to injure the colony, and bring upon the inhabitants his Majesty's displeasure. I acknowledge it a singular happiness, that this affair is brought before your Lordship, and that your candor and inflexible integrity will fix the charge of insolence where it really belongs. I submit the dispute, with pleasure, from a thorough conviction that your Lordship's opinion thereupon will be consonant to the strictest equity.

It is now my turn to complain of Wm. Duddingston's illegal proceedings, in carrying a quantity of rum he had seized on board a small boat, lying within the county of Kent, in this colony, to Boston, for trial, notwithstanding by the 8th of his present Majesty, it is expressly declared, that all forfeitures of this kind shall be tried in that colony where the offence is committed. To recite every particular of his unwarrantable proceedings, would, my Lord, be tedious. Let it then suffice, that since the Gaspee and Beaver have been stationed in this colony, the inhabitants have been insulted without any just cause, with the most abusive and contumelious language, and I am sorry that I have reason to say, that the principal officers belonging to said vessels have exercised that power with which they are vested, in a wanton and arbitrary manner, to the very great injury and disturbance of the colony.

I have, my Lord, constantly afforded the King's officers all the assistance in my power in the legal discharge of their trust; if any of them through prejudice, ignorance of their duty or youthful indiscretion, insult the colony, it is my duty, as his Majesty's governor, to remonstrate against it.

I am, with the greatest deference and respect, my Lord, your Lordship's most obedient humble servant. J. WANTON.

To the Right Honorable Earl of Hillsborough, one of his Majesty's principal Secretaries of State. Whitehall.

The facts stated and alluded to in the foregoing letters must have done much toward rendering the situation of Lieut. Duddingston more uncomfortable, and the discharge of his duties less acceptable to the colony.—In one instance, at least, he had violated the

express provision of an act of Parliament relating to seizures made for illicit trade. The act required that goods so seized should be adjudicated upon by the court of Vice-Admiralty in the colony where seized. He seized a sloop with twelve hogsheads of rum on board, within the county of Kent, and sent them to Boston for trial. He states that the owner of the rum was a Mr. Greene, a member of the General Assembly from Coventry. If so, it must have been Nathaniel Greene, Jr. For this act he had been threatened with a suit, and dared not go on shore for fear of being arrested. Things continued in this state, growing even worse rather than better, until the destruction of the *Gaspee* in June following, which is thus described by an eye witness :

"In the year 1772, the British government had stationed at Newport, Rhode Island, the schooner called the *Gaspee*, of eight guns, commanded by Wm. Duddingston, a Lieutenant in the British Navy, for the purpose of preventing the clandestine landing of articles, subject to the payment of duty. The Captain of this schooner made it his practice to stop and board all vessels entering or leaving the ports of Rhode Island, or leaving Newport for Providence.

On the 10th day of June, 1772, Capt. Thomas Lindsey left Newport in his packet for Providence, about noon, with the wind at North; and soon after, the *Gaspee* was under sail, in pursuit of Lindsey, and continued the chase as far as Namquit Point, which runs off from the farm in Warwick about seven miles below Providence, now owned by Mr. John Brown Francis, our late Governor.—Lindsey was standing easterly, with the tide on ebb about two hours, when he hove about, at the end of Namquit Point, and stood to the westward, and Duddingston in close chase, changed his course and ran on the Point, near its end, and grounded. Lindsey continued on his course up the river, and arrived at Providence about sunset, when he immediately informed Mr. John Brown, one of our first and most respectable merchants, of the situation of the *Gaspee*. He immediately concluded that she would remain immovable until after midnight, and that now an opportunity offered of putting an end to the trouble and vexation she daily caused. Mr. Brown immediately resolved on her destruction, and he forthwith directed one of his trusty shipmasters to collect eight of the largest long-boats in the harbor, with five oars to each, to have the oars and row locks well muffled, to prevent noise, and to place them at Fenner's wharf, directly opposite to the dwelling of Mr. James Sabin, who kept a house of board and entertainment for gentlemen, being the same house purchased a

few years after by the late Welcome Arnold, and is now owned by and is the residence of Colonel Richard J. Arnold, his son.

About the time of the shutting up of the shops soon after sunset, a man passed along the Main street beating a drum and informing the inhabitants of the fact, that the *Gaspee* was aground on Namquit Point, and would not float off until 3 o'clock the next morning, and inviting those persons who felt a disposition to go and destroy that troublesome vessel, to repair in the evening to Mr. James Sabin's house. About 9 o'clock, I took my father's gun and my powder horn and bullets and went to Mr. Sabin's, and found the southeast room full of people, where I loaded my gun, and all remained there till about 10 o'clock, some casting bullets in the kitchen, and others making arrangements for departure, when orders were given to cross the street to Fenner's wharf and embark; which soon took place, and a sea captain acted as steersman of each boat, of whom I recollect Capt. Abraham Whipple, Capt. John B. Hopkins, (with whom I embarked,) and Capt. Benjamin Dunn. A line from right to left was soon formed, with Capt. Whipple on the right and Capt. Hopkins on the right of the left wing.

The party thus proceeded till within about sixty yards of the *Gaspee*, when a sentinel hailed, "Who comes there?" No answer.—He hailed again and no answer. In about a minute Duddingston mounted the starboard gunwale in his shirt and hailed, "Who comes there?" No answer. He hailed again, when Capt. Whipple answered as follows—"I am the sheriff of the county of Kent, G—d d—n you. I have got a warrant to apprehend you, G—d d—n you; so surrender, G—d d—n you." I took my seat on the main thwart, near the larboard row-lock, with my gun by my right side, facing forwards. As soon as Duddingston began to hail, Joseph Bucklin, who was standing on the main thwart by my right side, said to me, "Ephie, reach me your gun and I can kill that fellow." I reached it to him accordingly, when, during Capt. Whipple's replying, Bucklin fired and Duddingston fell, and Bucklin exclaimed, "I have killed the rascal." In less than a minute after Capt. Whipple's answer, the boats were alongside of the *Gaspee*, and boarded without opposition. The men on deck retreated below as Duddingston entered the cabin.

As it was discovered that he was wounded, John Mawney, who had for two or three years been studying physic and surgery, was ordered to go into the cabin and dress Duddingston's wound, and I was directed to assist him. On examination, it was found the ball took effect about five inches directly below the navel. Duddingston called for Mr. Dickinson to produce bandages and other necessaries for the dressing of the wound, and when finished, orders were given to the

schooner's company to collect their clothing and every thing belonging to them and put them into their boats, as all of them were to be sent on shore. All were soon collected and put on board of the boats, including one of our boats. They departed and lunded Duddingston at the old still house wharf, at Pawtuxet, and put the chief into the house of Joseph Rhodes. Soon after, all the party were ordered to depart, leaving one boat for the leaders of the expedition, who soon set the vessel on fire, which consumed her to the waters' edge. The names of the most conspicuous actors are as follows, viz: Mr. John Brown, Captains Abraham Whipple, John B. Hopkins, Benjamin Dunn, and five others, whose names I have forgotten, and John Mawney, Benjamin Page, Joseph Bucklin, and Turpin Smith, my youthful companions, all of whom are dead, I believe, every man of the party, excepting myself, and my age is eighty-six years this 29th day of August, eighteen hundred and thirty-nine.

EPHRAIM BOWEN."

The foregoing statement was published by Col. Bowen at the time it bears date. Since then he also has followed his "youthful companions" to the grave.

Col. Bowen mistook in his recollection as to the day. Gov. Wanton's proclamation, issued June 12th, which will hereafter be given, states that the *Gaspee* was destroyed on Tuesday, the 9th day of June. Capt. Lindsey's *loop*, called the *Hannah*, according to the Providence Gazette of June 13, arrived at Newport on Monday, from New York, and after reporting her cargo at the custom house, proceeded up the river on Tuesday.

Mr. John Mawney, who is named in Col. Bowen's narrative, in a statement published in the *American and Gazette* in the year 1826, records the following additional facts. After hearing the drum beat, he repaired to Mr. Sabin's, where he learned the object of the meeting, and some of his acquaintances there, urged him to go with them as surgeon.

"To this," he says, "I readily consented, and went to Corlis' wharf with Capt. Joseph Tillinghast, who commanded the barge, it being the last boat that put off, and in going down we stopped at Capt. Cooke's wharf, where we took in staves and paving stones, which done followed our commander and came up with them a considerable distance down the river, after which we rowed along pretty rapidly till we came in sight of the schooner, when Capt., the late Commodore Whipple, ordered us to form a line, which was instantly complied with, after which we rowed gently along, till we had got near the schooner, when we were hailed from on

board with the words, "Who comes there?" Capt. Whipple replied, "I want to come on board." The reply was, "Stand off, you can't come on board." On which Capt. Whipple roared out, "I am the sheriff of the county of Kent, I am come for the commander of this vessel, and have him I will, dead or alive—men, spring to your oars;" when we were in an instant on her bows. I was then sitting with Capt. Tillinghast in the stern of the barge, and sprang immediately forward, and seeing a rope hang down her bows, seized it to help myself in. The rope slipping, I fell almost to my waist in the water, but being active and nimble, I recovered, and was the first of our crew on deck, when Simeon H. Olney handed me a stave, with which, seeing one that I took to be of the crew of the schooner, floundering below the windlass, I was in the attitude of levelling a stroke, when he cried out, "John, don't strike." Being very intimately acquainted with Capt. Samuel Dunn, I knew his voice, left him, and sprang back of the windlass, where there was commotion and noise, but which soon subsided, the crew jumping down the hold, I immediately following, when I ordered them to bring cords to tie their hands, and told them they should not be hurt but be sent on shore. They brought some tarred strings, with which I tied the hands of two behind, when John Brown, Esq., called to me saying, I was wanted immediately on deck, where I was instantly helped. When I asked Mr. Brown what is the matter, he replied, "Don't call names, but go immediately into the cabin, there is one wounded, and will bleed to death." I hastened into the cabin and found Lieut. Duddingston in a sitting posture, gently reclining to the left, bleeding profusely, with a thin, white, woollen blanket, loose about him, which I threw aside and discovered the effect of a musket ball, in his left groin, and thinking the femoral artery was cut, threw open my waistcoat and taking my shirt by the collar, tore it to my waistband, when Mr. Duddingston said, "Pray, sir, don't tear your clothes, there is linen in that trunk," upon which I requested Joseph Bucklin to break open the trunk and tear linen and scrape lint, which he immediately attempted, but finding the linen new and strong, could not make the lint. I then directed him to place his hands as I had mine, which was, the ball of my left hand on the orifice of the wound, and giving him the word to slip his hand under mine and to press hard to prevent the effusion of blood; which being done, I went to the linen and attempted to scrape it into lint, but found I could not effect it. As daylight was fast coming on and our time short, I then tore the linen into strips for compresses and the necessary bandages, which was done by knotting them into long strips, placed the compresses five or six deep, and with the ligatures, by the Lieut. All being prepared, I

told Bucklin to raise his hands, when I instantly placed the compresses on the orifice, and placing the bandage round the thigh over the wound and crossing it above, drew tight, so that the effusion of blood was stopped. During the operation, I was several times called upon at the door, but now was ready. When the door was opened many rushed in and attacked the bottles. I having boots on, stamped on them, and requested others to assist, which was readily done. During this, Mr. Duddingston was carried out of the room, and I never saw him after, notwithstanding I had several invitations, through Dr. Henry Sterling. When I came on deck I saw Capt. Tillinghast, and some others. We got into the boat and rowed up the river a certain distance and went by land to town, when Capt. Tillinghast, who was then living with me, after taking breakfast, went on the hill to view the smoking ruins of the vessel, which was all in flames soon after we left it."

In the preceding statement of Dr. Mawney, are some facts not recollected by Col. Bowen; facts which did not, and could not, considering the different parts they acted, fall under his observation. They are evidently different parts of the same transaction. The attention of Dr. Mawney was particularly directed to his patient, the wounded Lieutenant, though, it seems, he was equally ready to inflict as to cure wounds.— From a subsequent statement of Dr. Mawney, it appears that Lieutenant Duddingston was not wanting in gratitude to his surgeon. After his wound was dressed, he offered Dr. Mawney a gold stock buckle as a testimonial of his gratitude. This was refused, but a silver one was afterward offered and accepted, and worn by Dr. Mawney but a little while before his death.

Daniel Pearce was the individual who beat the drum through the streets. At the time of this occurrence there were two packet masters by the name of Lindsey. Col. Bowen was mistaken in the name of the Capt. of the Hannah. That was Benjamin and not Thomas.

Deputy Governor Sessions addressed the following letters to Gov. Wanton, which probably gave him the first notice of the destruction of the Gaspee:

PROVIDENCE, June 11, 1772.

SIR:—A very disagreeable affair has lately happened within this part of the colony. Last Tuesday night, as his Majesty's schooner the Gaspee lay aground on the point of land called Namquit, a little below

Pawtuxet, she was boarded in a hostile manner, by a number of persons unknown, who, in the attack, dangerously wounded the commander, William Duddingston, by firing a pistol or musket ball through his arm, from whence it passed and entered near his groin, and is now lodged in some part of his body. As soon as they had secured the possession of the vessel, they took out the captain with all the people, the greater part being first pinioned, put them into boats, and put them ashore on the main land near Pawtuxet; after which they put fire to the schooner, which soon reduced her to ashes, down to the water's edge. Upon my receiving the news, I immediately set out for Pawtuxet, attended by some gentlemen from this town, went directly to Capt. Duddingston, told him if he needed any money, surgeons, or a removal of his person to a place more convenient, I would give him all the assistance in my power. He replied, he wanted no favors with respect to himself, but only desired some care might be taken of his people, that they might be collected together, and sent either to Boston to the Admiral, or else to the Beaver at Newport, which I promised I would take care to do. I then informed him, that the design of my visit, at that time, was not only to afford him any relief his circumstances might require, but also to gain a declaration from his own mouth respecting the attack that had been made on his person and the vessel he commanded, that the perpetrators might be brought to justice. He answered, he would give me no account of the matter; first, because of his indisposition of body, and secondly, because it was his duty to forbear any thing of the nature till he had done it to his commanding officer, at a court martial, to which, if he lived, he must be called, but if he died, he desired it might all die with him. I then asked him if he was willing I should examine any of his officers and people. He said he was willing. I then proceeded to examine a number of them, they all agreeing nearly to the same thing, and herewith convey to your honor, copies of the most material of their declarations. The dangerous tendency of this transaction is too obvious to pass it over with the least appearance of neglect, and, therefore, doubt not your honor will give it due attention, and prosecute such measures as wisdom and prudence shall dictate.

It is the prevailing opinion of the gentlemen in this quarter, that a proclamation, with a large reward, be issued for the apprehending the persons who have thus offended. You will please consult the gentlemen your way, and in the meantime, I will endeavor to collect the sentiments of the members of the Assembly, and other principal gentlemen by name and send the same to your honor as soon as may be.

I am, with respect, your honor's most humble servant,
DARIUS SESSIONS.

Enclosed in this letter were the following affidavits :

The examination of Bartholomew Cheever, seaman, lately belonging to his Majesty's schooner, the Gaspee, taken by Darius Sessions, deputy governor of the colony of Rhode Island, &c., is as followeth, viz : That the said schooner being bound from Newport up to Providence, to take on board some of his Majesty's seamen that were expected from Boston, did, on the 9th of this instant, at about three o'clock in the afternoon of said day, run aground on a point of land, about six miles below the town of Providence, where she, the said schooner, lay until twelve o'clock at night, at which time he, the said Cheever, was called upon deck to take the watch ; about three-quarters of an hour afterwards, the schooner yet being aground, he observed some long boats, about six or seven in number, full of men, drawing near to the schooner, upon which he informed the commander, Capt. Duddingston, who immediately came on deck, and ordered him to hail them and bid them stand off on their peril, to which they answered, "Damn you, we have you." The captain then ordered him to call all hands on deck, which he did ; but before many of them got up, the boats were alongside and the crews getting on board ; and as they were entering the schooner, he saw the flash and heard the report of a musket, and heard the captain cry out, he was a dead man. We were then ordered into the hold, and taken out separately and put into the boats alongside, the most of us being pinioned, and then put on shore on the main land, where we had not been long before we saw the schooner on fire, where she continued burning till the fire reached the water's edge.

Question—Did you, or do you know, or do you remember ever to have seen before any of those persons that boarded the schooner at that time ?

Answer—No, his
BARTHOLOMEW ☒ CHEEVER.
mark.

Colony of RHODE ISLAND, &c.,)
Warwick, June 10, 1772. }

The above named Bartholomew Cheever was solemnly sworn to the truth of the foregoing declaration, to the which he has subscribed as above, before

DARIUS SESSIONS,
Deputy Governor.

The examination of John Johnson, boat-wain of his Majesty's schooner Gaspee, commanded by William Duddingston, together with the examination of William Caple, a seaman on board said schooner, taken the tenth day of June, in the twelfth year of his Majesty's reign, A. D. 1772, before the Hon. Darius Sessions, deputy governor,—severally say, that on the ninth of June, being bound with said schooner to the town of Pro-

vidence, in order to take on board some of his Majesty's seamen, which was expected from Boston, in order to replace them on board his Majesty's ship to which they belonged, about three o'clock in the afternoon of said day the schooner grounded on a point in the Narragansett Bay, about six miles southward of the town of Providence ; and about the middle of the night following, the schooner still being on ground, there being but one hand on deck, he discovered seven or eight long boats, with a number of persons aboard them, on which the person on deck informed the commander, William Duddingston, who hailed the boats and ordered them to keep off ; but the persons on board said boats not regarding the commander's orders, came near in order to board said schooner, on which the captain or commander called all hands ; but before we was on deck, we heard two small arms or pistols fired ; and when coming on deck, the schooner was boarded, and being in the hatchway, said Johnson received several blows with a stick, and as soon as we was on deck, we was bound, and all the rest of the seamen bound likewise, and put on board their boat, and landed on the west side of said Bay, together with captain or commander, who was much wounded.

Question—Have you any knowledge of the persons that boarded the schooner ?

Answer—No, his
JOHN ☒ JOHNSON.
mark.
his
WM. J. ☒ CAPLE.
mark.

Colony of RHODE ISLAND, &c.,)
Warwick, June 10, 1772. }

The within John Johnson and Wm. Caple made solemn oath to the truth of the within, or foregoing declaration, to which they have subscribed, before

DARIUS SESSIONS,
Deputy Governor.

On the following day, June 12, Governor Sessions addressed another letter to Gov. Wanton. The bearer of which probably brought the proclamation of Governor Wanton :

PROVIDENCE, June 12, 1772.

SIR :—Since I wrote you yesterday by Hacker, I have received the advice of all the civil authority in this town, as well as an application in writing, signed by a great number of the most reputable inhabitants, who are unanimously of opinion, and earnestly desire that your honor forthwith issue a proclamation with a proper reward, for the apprehending and bringing to justice any and every person that was concerned in destroying the schooner Gaspee, or in assaulting and wounding William Duddingston, the commander of said schooner ; and, if your honor find it expedient to put forth such proclamation, it is requested that a copy there-

of may be sent by the bearer, who goes express, and has orders to wait until it is determined whether a proclamation be issued or not; and if it be, to bring it back with him timely, that it may be inserted in our newspaper to-morrow. Some exceptions are taken at the Gaspee's being called his Majesty's schooner, as it is thought by some she, in fact, really was not, and consequently did not deserve that appellation. If the evidence we have in that respect be sufficient to denominate her a King's vessel, she ought to be called so, if not, then only without any compliment, the schooner Gaspee, which is submitted to your honor's better knowledge and discretion by

Your honor's most humble servant,

DARIUS SESSIONS.

P. S.—Dr. Sterling, who attends Capt. Duddingston, informed us yesterday that he was in a fair way to recover of his wounds.

Governor WANTON,

The Hon. JOSEPH WANTON, Esq., at Newport.

By the Honorable Joseph Wanton, Esquire, Governor, Captain General and Commander-in-chief of and over the English Colony of Rhode Island and Providence Plantations in New England in America—

A PROCLAMATION.

Whereas, on Tuesday, the 9th inst., in the night, a number of people unknown, boarded his Majesty's armed schooner the Gaspee, as she lay aground on a point of land called Nanquid, a little to the southward of Pawtuxet, in the colony aforesaid, who dangerously wounded William Duddingston, the commander, and by force took him with all his people, put them into boats, and landed them near Pawtuxet, and afterward set fire to the said schooner, whereby she was totally destroyed. I have, therefore, thought fit, by and with the advice of such of his Majesty's council as could be seasonably convened, to issue this proclamation, strictly charging and commanding all his Majesty's officers within the said colony, both civil and military, to exert themselves with the utmost vigilance to discover and apprehend the persons guilty of the aforesaid atrocious crime, that they may be brought to condign punishment, and I do hereby offer a reward of one hundred pounds sterling money of Great Britain to any person or persons who shall discover the perpetrators of the said villainy, to be paid immediately upon the conviction of any one or more of them.

And the several sheriffs in the said colony are hereby required forthwith to cause this proclamation to be posted up in the most public places in each of the towns in their respective counties.

Given under my hand and seal at arms at Newport this 12th day of June, in the twelfth year of the reign of his Most Sacred Majes-

ty George the Third, by the Grace of God, King of Great Britain and so forth, Anno Dom. 1772.

J. WANTON.

By his Honor's command:

HENRY WARD, Secretary.

God save the King.

Notwithstanding the wound of Lieutenant Duddingston, he probably on the morning of the tenth of June despatched a messenger to Admiral Montagu, with the news of the loss of his vessel. The messenger was probably William Dickinson, a midshipman. The communication led to the following letter to Gov. Wanton from the Admiral:

Boston, 11th June, 1772.

SIR:—Enclosed I transmit your Excellency a deposition taken before me of the piratical proceedings of the people of Providence in Rhode Island government, by attacking his Majesty's schooner with an armed force, wounding her commander in a dangerous manner, and then setting her on fire. I am to request your Excellency will use such methods as you shall think proper for apprehending and bringing the offenders to justice. I am now despatching a sloop to England with the account I enclose to you, and am your Excellency's most obedient humble servant,

J. MONTAGU.

His Excellency Gov. WANTON.

The deposition enclosed was that of Wm Dickinson, which was as follows:

William Dickinson, midshipman of his Majesty's schooner Gaspee, sayeth: That the said schooner was at single anchor about three leagues below Providence, in Rhode Island government, 10th of June, 1772, and about half past twelve o'clock in the night or morning, the watch gave the alarm that a number of boats were coming down the river, and very near us, (being an exceedingly dark night,) we hailed them, and ordered them to keep off. They instantly gave us three cheers, on which we fired at them with muskets, which they immediately returned with half a dozen muskets, (or thereabouts.) We then fired our pistols, on which they boarded us upon the starboard bow, and fired a number of small arms. Immediately Lieutenant Duddingston (her commander) cried out, "Good God, I am done for," and was wounded in his groin and arm. While we were disputing forward, relative to their boarding us, three other boats boarded us upon the quarter. In the three boats which boarded us upon the quarter, there were thirty or forty men, at least, and in the whole, I suppose, about 150 in number, on which we thought proper (the Lieutenant being wounded) to surrender. When they had got possession of the schooner they used the people very ill, by pinioning of them, and throwing them into their boats, and refused the Lieutenant and officers any necessaries but what

they had on, and not even suffered the commanding officer to have his papers, and robbed his servant of several silver spoons, and threw his linen and apparel overboard.—We were then sent ashore, in two different boats, the Lieutenant and part of the men in one boat, and myself with the rest of the people in the other boat, at the distance of about two miles asunder, as we found at daylight. I remained on the beach, and about half-past three o'clock saw the schooner on fire, and about half-past four I saw three boats put off from her, full of men, and rowed up towards Providence, and an hour after another boat came by her and landed her men at Pawtuxet.

Questions by Admiral Montagu.

Question.—How long had you been lying in Providence River?

Answer.—We came to an anchor there at about 1 o'clock in the afternoon of the 9th of June.

Q.—Had you sent any boat ashore?

A.—No, but employed sounding the Harbor.

Q.—Had you been at Providence before during the time you were upon that station?

A.—No.

Q.—Do you imagine that the people who boarded you, came from Providence?

A.—Yes; I believe the most part, but cannot say all, as one boat landed her men at Pawtuxet.

Q.—What distance is Pawtuxet from Providence by land?

A.—Five miles.

Q.—What distance were the boats from the schooner when they were first seen?

A.—I was not upon deck at first myself, but when I saw them they were about 100 yards.

Q.—Why did you not fire your great guns at them?

A.—They boarded us upon the bows, and were so near to us that we had not time to get our guns out at the bow ports.

Q.—Did any of the people that boarded you appear like gentlemen?

A.—Yes; many of them appeared like men of credit and tradesmen, and but few like common men.

Q.—Did they make use of any opprobrious language?

A.—Yes; by threatening to put the Lieutenant to death, and calling us piratical rascals?

Q.—Where did you leave the Beaver?

A.—Off Golden Island, in the mouth of Secomet passage.

Q.—What distance from you?

A.—About twenty-five miles.

Q.—Could she be in sight when this happened?

A.—No; the moon had set between.

Q.—Is there any thing more that you can recollect?

A.—Yes; one of the people took me by the collar, and said, "Damn you, where is

your Pilot Doget." I answered he was discharged six weeks ago. He answered, "Damn your blood, you lie;" and said they would find him, and [illegible] him alive.

Q.—Did they suffer the Lieutenant to put on any clothes after he was wounded?

A.—No; he was in his shirt with his great coat over his shoulders, and a blanket round his body.

Q.—Was any other person wounded except the Lieutenant?

A.—Yes; one in the head.

And I further declare, that when Lieutenant Duddingston came on deck, I saw him go and stand by the starboard forehrouds, in his shirt, with a pistol in one hand and a hanger in the other. After he was wounded he got aft and sat down by the cabin companion way, when the two ringleaders, with a number following them, came to him and said, "Now you piratical rascal, we have got you. Damn you, we will hang you all by the laws of Great Britain. Damn you, what made you fire when we answered you that the head sheriff was in the boat." The Captain (N. B. The head sheriff and captain are fictitious names that the two ringleaders went by) said, "Stand aside and let me despatch the piratical dog." He then lifted a handspike over Mr. Duddingston's head, who asked "if they would give no quarters." They answered, "No." He then desired they would let me bind up his wounds, for he was shot, and showed them the wound in his left arm. They then said, "Damn your blood, you are shot by your own people." He was then taken down into the cabin by some of the mob. They then pinioned me and put me into the boat, where I remained for half an hour, when one of the mob called to their people in the boat to loose me for the Lieutenant wanted me. I went down in the cabin to him. He was laid on the after lockers, and one of the mob washing and binding up his wounds. The mob then got him on deck and put him in a boat and put off. Soon after, I was ordered into the boat again, and put off. In going on shore I saw a negro with the Lieutenant's hanger; being asked by another how he got it, he said he took it from the Captain.

Being down in the cabin with Lieutenant Duddingston, the ringleaders and some of the principal of the mob demanded his papers and orders for his proceeding in such piratical manner. I then showed them the commission from the Lords of the Admiralty, with all his orders and instructions that he had received from the Admiral, which they took and carried away. In going ashore one of the mob that rowed the boat said, that he and several more would not have been there, but that they were taken out of a house by force and compelled to go; that they beat a drum round the town of Providence in the evening to raise a mob.

W. DICKINSON.

Province of Massachusetts Bay,
Suffolk, sc. Boston, June 11, 1772.

The above named William Dickinson personally appearing, maketh solemn oath to the truth of the foregoing deposition, as wrote upon this and the six preceding pages, which is taken at the request of the Honorable John Montagu, Esq.

Before me, EDMUND QUINCY.

Governor Wanton's reply was as follows:
Newport, June 12, 1772.

SIR:—I have this moment received your honor's letter of yesterday upon the destruction of his Majesty's schooner *Gaspee*. Upon the first information of this unhappy affair, which gives me, and every friend to government, the highest concern, I called together all the members of the General Assembly that I could conveniently, who unanimously advised me to publish the proclamation of which I enclose you a copy.

I have not, as yet, been able to collect all the circumstances of this daring insult upon authority, so as to give you a perfect idea of it, but by the evidence of three of the people of the *Gaspee*, taken before his honor the deputy governor, copies of which I transmit, you will perceive that there is a material difference between them and the account given by Wm. Dickinson.

You may rely upon the utmost and continued exertions of the officers of this Colony to detect and bring to justice the perpetrators of this violent outrage. I have the pleasure to inform you that Lieutenant Duddingston is in a fair way of recovery.

I am, sir, your honor's most obedient and most humble servant, J. WANTON.

His Honor Admiral MONTAGU.

On the 12th, Lieutenant Duddingston had so far recovered as to be able to write to Admiral Montagu a letter, containing his version of the affair, of which the following is a copy. In perusing it, it should be borne in mind, that both he and his midshipman Dickinson had every inducement to represent the circumstances as favorably to themselves as they could.

PAWTUCKET, 12th June, 1772.

SIR:—On Wednesday morning, about one o'clock, as his Majesty's schooner was lying upon a spit of sand called Nancutt, the centinels discovered a number of boats coming down the River towards us. As soon as I was acquainted with it, I came upon deck and hailed the boats, forbidding them to come near the schooner, or I should order them to be fired upon. They made answer, they had the sheriff with them, and must come on board. I told them, the sheriff could not be admitted on board at that time of night, on which they set up a hallow and rowed as fast as they could towards the vessel's bows. I was then using every means in my power to

get the guns to bear upon them, which I could not effect, as they came right ahead of the vessel, she being aground.

I then ordered the men to come forward with their small arms and prevent them from boarding. As I was standing myself to oppose them, and making a stroke with my sword at the man who was attempting to come up, at that instant I found myself disabled in my left arm, and shot through the groin. I then stepped from the gunwale with an intention to order them to retire to close quarters, but soon saw that most of them were knocked down, and myself twice, (after telling them I was mortally wounded.) They damned me, and said I was not wounded;—if I was, my own people had done it. As loss of blood made me drop down upon deck, they ordered me to beg my life, and commanded the people to surrender. As I saw there was no possibility of defending the vessel against such numbers, who were in every respect armed and commanded with regularity by one who personated the sheriff, I thought it best for the people's preservation, to propose to them that I would order them to surrender if they assured me they should not be hurt, which they did. I then called out, which was immediately echoed by the people round me, that I had given them orders to surrender. They hurried all the people below and ordered them up one by one and tied their hands behind their backs, then ordered them into different boats. I then begged they would either despatch me or suffer my wounds to be dressed; upon that they allowed my servant to be unbound to get me things for dressing, and carried me below. But what was my surprise when I came down in the cabin, two surgeons were ordered down from the deck to dress me, who were furnished with drops and began to scrape lint for that purpose. During this time I had an opportunity of observing the persons of about a dozen, who were in the cabin. They appeared to me to be merchants and masters of vessels, who were at my bureau reading and examining my papers. They promised to let me have the schooner's books and my clothes; instead of which, as they were handing me up to go in the boat they threw them overboard, or into some of the boats. I was soon afterwards thrust into a boat, almost naked. During the time they were rowing me on shore, I had an opportunity of observing the boat, which appeared to me to be a very large long-boat. I saw by the man who steered her a cutlass lying by him, and directing the men to have their arms ready. As soon as they put off, the Sheriff gave them orders to land me on some neck, and the boat to come off immediately, and told me if I did not consent to pay the value of the rum I must not expect to have any thing belonging to me saved. I made answer, whatever reparation law would give, I was ready and willing; as to my things they might do with

them as they pleased. They were accordingly going to land me on this neck, which I told them they had better throw me overboard. One man, who had a little more humanity than any of the rest, said they had better land me at the Point of Pawtuxet. As I was unable to stand, they unbound five of the men and gave them a blanket to carry me up. When I was half way on shore I heard some of the schooner's guns go off, and heard the people say she was on fire. I had not been carried far when the people exclaim'd, I was on an Island; and they saw no house—on which they laid me down and went in quest of one. Soon after they came to acquaint me they saw one, which I was carried to; a man was immediately despatched to Providence for a surgeon. A little after the people joined me with the midshipman; all of whom that I could persuade are sent on board his Majesty's sloop Beaver. The schooner is utterly destroyed, and every thing appertaining to her, me, and the schooner's company. If I live, I am not without hope of being able to convict some of the principal people that were with them. The pain with the loss of blood rendered me incapable of informing you before of the particulars. There are none of the people any ways wounded, but bruised with hand-spikes.

I am, sir, your most humble servant.

W. DUDDINGTON.

On the receipt of this, Admiral Montagu addressed the following letter to Governor Wanton:

BOSTON, 15th June, 1772.

SIR:—By return of express I am favored with your Excellency's letter, and am much obliged for the part you have taken in endeavoring to find out and bring to justice, those rebellious, lawless, and piratical people who were concerned in wounding the King's Lieutenant and burning his schooner.

It will not bear a dispute but that they belonged to Providence, as they were heard by four of five gentlemen that were in the town, and are now here, beating the drum to arms to raise a body of people to destroy the King's schooner. I have perused the depositions which your Excellency enclosed, and although they differ in words, yet the matter is much to the same purpose.

I have, since I received yours, received one from Lieutenant Duddington, whose account nearly agrees with the other, with this addition only: that when he was carried down to his cabin, after he was wounded, he, to his great surprise found two surgeons that came off from the shore in the boats, ready to dress his wounds, with drops and scraping of lint, and at least a dozen of these people who were in the cabin, which were at his bureau reading and examining his papers, appeared to him to be merchants and masters of vessels. It gives me pleasure to hear the Lieutenant is in a fair way of recovery.

I am your Excellency's most obedient and humble servant
J. MONTAGU.
His Excellency Gov. WANTON.

Gov. Wanton transmitted the following account of the transaction to the Earl of Hillsborough, on the 16th of June:

NEWPORT, Rhode Island,)

June 16, 1772. }

MY LORD: I had the honor to write your Lordship on the 20th inst. I am now reduced to the necessity of addressing your Lordship upon a most disagreeable subject; the destruction of the schooner Gaspee, under the command of Lieutenant W. Duddington, by persons unknown. The particulars relating to this unwarrantable transaction, so far as I have been able to collect them, are as follows:

On the 19th inst., she ran aground on a point of land called Namquit, a little below Pawtuxet, on the Narragansett River, within this Colony. About three quarters of an hour after 12 o'clock at night, there being but one hand on deck, six or seven boats, full of men, were by him discovered drawing towards said schooner; and before many of her hands had time to get upon deck, was boarded by the people in the boats, who, as soon as they had secured the possession of the schooner, took out the captain and all the people and set them ashore on the main land. After which they set fire to the schooner. In the attack, Wm. Duddington was wounded by a ball through his arm, from whence it passed and lodged in some part of his body. Mr. Sessions, the deputy governor of this Colony, immediately upon hearing of this unhappy affair, went to Wm. Duddington, and offered him all the help and assistance in his power, but Mr. Duddington said he wanted no favors for himself. The deputy governor then told him that he came not only to offer him any relief his distressed circumstances might require, but also to gain a declaration from his own mouth respecting the destruction of the schooner under his command, that proper and rigorous measures might be taken to discover and bring the perpetrators to justice. Mr. Duddington answered, he would give him no account because of his indisposition, and also, because it was his duty to forbear any thing of that kind, till he had done it to his commanding officer, at a court martial, to which, if he lived, he must be called, but if he died, he desired it might all die with him. The deputy governor, with the consent of Mr. Duddington, then proceeded to examine a number of his men, and on the 11th transmitted copies of the most material of the examinations to me; upon the receipt whereof, I immediately convened such of his Majesty's council and the house of deputies as could be seasonably notified, and laid before them the proceedings of the deputy governor, which they highly approved of, and unanimously recommended

my issuing a proclamation, with a reward of £100 sterling for the discovery of any of the persons concerned in this violent insult upon government, which I cheerfully complied with, and sent them into the several towns in this Colony.

This transaction gives me the utmost uneasiness, and your Lordship may be assured, that the utmost vigilance of the civil authority will not be wanting to bring the perpetrators to exemplary and condign punishment; and in justice to the inhabitants of the Colony, I must not omit mentioning, that the conduct of those who committed this outrage is, by them, universally condemned.

I wish, my Lord, those officers who have lately been sent into this Colony, under a pretence of assisting trade, had conducted with that temper, prudence and discretion which persons entrusted with the execution of the laws ought, upon every occasion, to manifest. In my last, I informed your Lordship, that the inhabitants had been insulted without any just cause, and I am extremely sorry that I have still reason to say, that the trade of this Colony is interrupted in a most unprecedented and oppressive manner, without contributing, in the least, to the service of the revenue. Inward bound vessels have been detained several days without the least colorable pretext, and then delivered up. One from South Kingstown, for having on board a small quantity of tobacco of the growth of this Colony, which the owner was transporting to Newport for a market; another for having only three or four dozen wine laid in by the Captain for sea stores. The small freight boats plying between the several towns with the produce of the Colony, are, by the severity of these officers, subjected to great inconvenience, which very sensibly affects the whole Colony, particularly the town of Newport, its metropolis, whose inhabitants are principally supplied with the necessaries of life by water, and the obstructions they now experience have contributed not a little to enhance the price of fuel and provisions, to the great disadvantage of the town; and in my humble opinion, if such measures are permitted to be pursued, the Colony will ere long be involved in the deepest calamity. These, my Lord, are serious and important truths; and as your Lordship, from your thorough knowledge of the Colony, must be perfectly acquainted with the nature and extent of our trade, the profits of which ultimately centering in Great Britain, for the purchase of her manufactures, I have no room to doubt of your Lordship's interposition in behalf of this Colony, that all cause of complaint against any of the King's officers stationed here may be removed, and the inhabitants treated with that respect which is due to the subjects of his Britannic Majesty.

As a proof, my Lord, that the trade of this Colony stands upon as fair and legal a footing as the trade of any part of his Majesty's

dominions, out of two hundred sail of vessels which have entered this port since the first day of March last, only two in that number have been prosecuted and condemned for breach of acts of trade, one of which belongs to the Massachusetts Bay, notwithstanding they have been searched and rummaged with the greatest severity. These two vessels, although seized and condemned here, were sent by Capt. Linzee, of the *Beaver*, and Lieutenant Duddingston, to Boston, for sale, in direct opposition to the orders of the court of Vice Admiralty within this Colony, and the marshal of said court prevented by force from libelling one of these vessels for payment of the mariners' wages.

These, my Lord, are but a few of the many grievances which the people of this Colony have been for months past harrassed and perplexed with; but as the General Assembly will be convened, I make no doubt they will order a more particular remonstrance to be made. In the meantime, permit me, my Lord, to implore your attention to the complaints of a much abused and injured people, whose loyalty and affection to their Sovereign claims your Lordship's countenance and patronage.

I am, with the greatest respect, my Lord, your Lordship's most obedient humble servant,
J. WANTON.

The Right Honorable the Earl of Hillsborough.

There is little room to doubt but that Gov. Wanton and the officers of the colony would have been satisfied that the authors of the mischief should remain undiscovered; although their duty as officers, and their interests required them to exhibit a great zeal and loyalty on the occasion. On the other hand, Admiral Montagu and his brother officers in the Navy and Revenue, were sincere in their exertions to bring the perpetrators to condign punishment. Thus appears from the following letter:

Boston, 8th July, 1772.

SIR:—By express last night from Capt. Linzee, of his Majesty's sloop *Beaver*, I received the enclosed account; and, although it comes from a negro man, it carries with it the appearance of truth, as it agrees in many circumstances with Lieutenant Duddingston's letter, (to me,) and also with the deposition of the midshipman of the *Gaspee*; add to this, a man belonging to the *Gaspee*, swears to this negro's being in the boat that put him ashore, and challenged him as soon as he saw him on board the *Beaver*. These corroborating circumstances put it out of all doubt with me that he was actually concerned in taking and burning the King's schooner. And as he has impeached several others that were concerned in that piratical act, I am to beg your Excellency will get the people men-

tioned in the enclosed account apprehended, that they may be examined before you, in the presence of Lieutenant Duddingston, who, I dare say, will remember the person of the surgeon that dressed his wounds, and may possibly recollect the persons of Potter and Brown, who appear to me to have been the ringleaders in destroying his Majesty's schooner. As this affair was transacted in your Excellency's government, I must totally rely on you to have these people secured and (if there is sufficient proof against them) brought to justice. I doubt not but that you will exert yourself as much as in your power, and I flatter myself, that, with your assistance, the King will have justice done him, and the offenders brought to punishment, which I hope will in future prevent the King's officers from being upon all occasions insulted, and check the lawless and piratical behavior of the people of Rhode Island.

I am, sir, your Excellency's most obedient servant,
J. MONTAGU.

His Excellency Gov. WATSON.

P. S.—I shall be glad your Excellency would inform me whether this act was committed on the high seas or in the body of the county; if, on the former, I doubt not but, as one of the commissioners, you will use every proper method to get them apprehended, that they may be tried. If you should think it proper to take the negro's deposition on oath, I should be glad you would suffer a proper person to go on board the Swan to take it, and that you will favor me with a copy of it.

Aaron, a negro man, has declared that he rowed from Providence, the evening his Majesty's schooner Gaspee was burnt, towards Warren, where he met a man called Potter, of Bristol, in a rowing boat, with eight men, armed with pistols, guns, and clubs; the said Potter desired him to go with him. In consequence of Potter's desire, I rowed by his boat until I came within a quarter of a mile of the King's schooner, that was on shore on a spit of sand. I then got into Potter's boat by his desire; he told me with others, that he was to join other boats that was coming down from Providence, in order to burn the King's schooner that lay on shore. In about half an hour after, we joined seventeen boats from Providence, commanded, as they informed me, by John Brown. Immediately after the boats joined company, we rowed towards the schooner; before we came close to the schooner, they hailed the boats, and forbid them coming on board; but notwithstanding the officer of the schooner forbidding the boats to come on board, we had orders to row up to the schooner, which we did immediately, and boarded her. I saw Brown fire a musket when in the boat under the bows; the captain of the schooner immediately fell from the place he was standing on; the surgeon that was ordered to

dress the captain was a tall, thin man, called Weeks, of Warwick; very soon after we got on board the schooner, the men's hands belonging to the schooner were tied behind their backs, and put in boats and put on shore. I rowed the bow oar in the boat that the captain came on shore in; I think there was five people belonging to the schooner in the boat. The captain lay abaft all the oars; Potter, of Bristol, was in the boat, and John Brown, of Providence; Brown steered the boat on shore; I had on a red and white spotted handkerchief tied on my head, and two frocks on my body. A list of five men's names, that was concerned in destroying his Majesty's schooner Gaspee:

John Brown and Joseph Brown, principal men of the town of Providence; Simeon Potter of Bristol; Doctor Weeks, of Warwick; Richmond, of Providence.

Instead of pursuing the course recommended by the Admiral, the Governor took the following affidavits, going to discredit Aaron's statement:

Samuel Thurston, of the island of Prudence, in the township of Portsmouth, in the county of Newport, of lawful age, declareth and saith, that Aaron, mulatto lad of about 16 years of age, now on board his Majesty's ship the Swan, commanded by Capt. Ayscough, is an indentured servant to Samuel Tompkins, of Prudence aforesaid, son-in-law to the said Samuel Thurston, which Samuel Tompkins hath lived in the same house with the declarant for many years past, and have jointly managed a farm together; that he is fully persuaded, the said Aaron hath not been off from the said island for more than twelve months preceding the 2d day of July instant; in the night of which the said Aaron stole their boat and went on board his Majesty's ship the Beaver; that particularly on the night after the ninth of June last, being the same night that his Majesty's schooner the Gaspee was burnt, he is well assured that the said Aaron remained in his house the whole of the night, he having seen him in the evening and early in the morning of the 10th at his work; that at that time, there was but one boat at that end of said island, which was then so much out of repair that the said declarant thinks she could not swim, and then lay bottom upwards in order to be refitted, being the same boat the said Aaron stole after she was repaired; that he, the declarant, thinks it absolutely impossible, that the said Aaron should have been, that night, any where near the place where the said schooner was burnt; and that the said Aaron remained at home from the said ninth of June until the said 2d day of July, and never, during that time, gave him the least information, suggestion or hint of having any knowledge of the business of the said schooner.

SAM'L THURSTON

Colony of RHODE ISLAND, &c.,)
Newport, July 10, 1772.)

Personally appeared Samuel Thurston, (one of the people called Quakers,) and on his solemn affirmation, declared that the above written declaration is true, before

J. WANTON, Governor.

Samuel Tompkins, of the island of Prudence, in the township of Portsmouth, in the county of Newport, on oath declareth and saith, that Aaron, a mulatto lad of about 15 years of age, now on board his Majesty's ship the Swan, commanded by Capt. Ayough, is an indented servant to the deponent; that he is fully persuaded the said Aaron hath not been off from the said island more than once or twice for twelve months preceding the 2d day of July inst., in the night of which, the said Aaron stole a boat belonging to the deponent and his father-in-law, Mr. Samuel Thurston, and went on board his Majesty's ship the Beaver; that particularly on the night after the ninth of June last, being the same night that his Majesty's schooner the Gaspee was burnt, he is well assured the said Aaron remained in his house the whole of the night, he having seen him about 9 o'clock that evening, with the rest of the servants in the family, about which time they retired to bed; and, also, very early in the morning of the 10th, the said Aaron, according to his usual custom, brought the cows into the yard to be milked; that at the time there was but one boat at that end of the island, which was then so much out of repair that the deponent is confident she could not swim, and then lay bottom upwards, in order to be refitted, being the same boat the said Aaron stole after she was repaired; that he, the said deponent, thinks it absolutely impossible that the said Aaron should have been that night any where near the place where the schooner Gaspee was burnt; and that he, the said Aaron, remained at home from the said 9th of June until the said 2d day of July, and never, during that time, gave him the least information, suggestion, or hint of his having any the least knowledge of the destruction of the said schooner.

SAMUEL TOMPKINS.

Colony of RHODE ISLAND, &c.,)
Newport, July 11, 1772.)

Mr. Samuel Tompkins personally appeared and made solemn oath to the truth of the above deposition by him subscribed, before

J. WANTON, Governor.

Somerset, a mulatto, and Jack, a negro, indented servants, living with Samuel Thurston and Samuel Tompkins, on the island of Prudence, in the township of Portsmouth, in the county of Newport, of lawful age, on oath severally depose and say: That to their certain knowledge, Aaron, a mulatto lad, who is also an indented servant to the said Sam-

uel Tompkins, and now, as they are informed, on board of a man-of-war, has not been off from said island for many months preceding the 2d day of July inst.: in the night of which the said Aaron stole a boat belonging to the said Samuel Thurston and Samuel Tompkins, and went on board a man-of-war; that the said Aaron has slept with the deponents in the same bed for several years, and particularly on the night the schooner called the Gaspee was burnt the said Aaron was at home, at the dwelling house of the said Thurston and Tompkins, and that he, the said Aaron, lay in the same room and bed with the deponents the whole of that night, having retired to bed together between nine and ten o'clock in the evening; and the deponents severally say that they have never had the least hint, or information, from the said Aaron of his having any knowledge of the burning of the said schooner Gaspee, and that they are well assured that he knows nothing of the transaction. And the deponents further say not.

The mark of  SOMERSET.

The mark of  JACK.

Colony of RHODE ISLAND, &c.,)
Newport July 11, 1772.)

In their proper persons came and appeared the above named Somerset and Jack, and after being cautioned to tell the truth, and nothing but the truth, made solemn oath to the above deposition to which they have made their respective marks, before

J. WANTON, Governor.

About the same time, Capt. Linzee, of the Beaver, then lying in Newport, caused the following deposition to be taken:

The deposition of Patrick Earle, of lawful age, late belonging to his Majesty's armed schooner Gaspee, commanded by Lieutenant William Duddingston, but now to his Majesty's ship the Beaver, commanded by John Linzee, Esq. This deponent saith, that after a number of boats boarded the said schooner, as she lay aground, and the peoples' hands were tied, he, with several others, was put into the same boat that the captain was carried ashore in, and that he helped a negro man, called Aaron Brigers, to row the bow oar, which negro is now on board his Majesty's ship Beaver, who hath sworn that he did row ashore with the bow oar, and further saith not.

The mark of  PATRICK EARLE.

Sworn in Newport 16th July, 1772.

Before me, CHARLES BARDIN,

Justice of the Peace.

July 16th, Gov. Wanton addressed the following note to Capt. Linzee, of the Beaver:

NEWPORT, July 15th, 1772.

SIR:—Having received information from the Honorable Admiral Montagu, that Aaron, a mulatto lad, on board his Majesty's ship

the Beaver, under your command, has confessed that he was concerned in destroying his Majesty's schooner the Gaspee, as she lay aground on Namquit Point, in the county of Kent, within this Colony; and as it is highly necessary that this had should be examined by the civil authority concerning what he knows of that affair, I have directed the Sheriff to wait upon you and I request that you would deliver Aaron into his custody, in order to be brought on shore, that such proceedings may be had and done in this matter as are agreeable to law. The King's Attorney General will attend the examination, and I should be glad if you, or any of your officers, would likewise attend. If you are of opinion that it is most for his Majesty's service to return Aaron on board your ship after he has been examined, instead of committing him to jail, you may be assured it shall be done. Mr. Brenton also waits on you, whose opinion on matters of law may be of service to you in this important affair.

I am, sir, your humble servant,

J. WANTON.

To JOHN LINZEE, Esq., commanding his Majesty's ship the Beaver.

It appears from the following letter from Lieutenant Duddingston to Admiral Montagu, that his fears for his personal safety were not wholly removed:

SIR:—This day I received yours of the 8th inst., and am hardly able to give answer, from the painful situation I am in, nor is it possible at present for me to be of the least use in respect to the matter. I have no doubt of his being in the boat with me, and it is what I expected, that the Governor would say he was an impostor; and I cannot help telling you that without I was able to retire on a ship, I should not exist one night on shore, if I was capable to make oath to one of the people mentioned. I beg this may be private till I can be moved, as the copy of the former letter, being made public to the people by the Governor, puts me in great danger.

I am, sir, your most obedient humble servant,

W. DUDDINGSTON.

Brennon's Point, near

Newport, July, 1772.

Admiral Montagu.

Governor Wanton communicated his proceedings in relation to Aaron to Admiral Montagu:

NEWPORT, July 22, 1772.

SIR:—Your favor of the 8th inst. I have received, together with the information given by one Aaron, a mulatto servant, relative to the destruction of the Gaspee; on receiving of which I pursued every measure in my power to investigate and find out the truth of the various assertions comprised in his declaration; for which end I caused to be examined on oath some of the family with whom

this declarant lived as a servant, persons of credit and established character, who were separately examined, and whose testimony perfectly agreed in every circumstance on such examination, by which, and from the general bad character of the declarant, I was fully convinced that no regard could be had to this information; that the declarant could not be present at the time when this offence was committed, as it is fully proved that he was at home, on an island near seven miles from the place where the disaster happened; however, being very solicitous that every inquiry should be made that might reflect light on this unhappy affair, I had a conference with one of the Judges of the Superior Court, before whom this matter must finally come to be adjudged, who gave it as his opinion, that it was absolutely necessary that this declarant should be delivered up to the civil authority to be properly examined. He therefore issued his warrant to take Aaron into his custody. At the same time I wrote Capt. Linzee a letter requesting him to deliver him to the Sheriff, in order to his being examined, both which were treated by Capt. Linzee with great contempt, and by him utterly disregarded. What could be his motives or reasons for such his conduct, I am not able to account for. It certainly is a great contempt of the civil authority of this colony, who have the only power and jurisdiction to try all and every offence committed within the same, to refuse delivering up an offender, who, by his own confession, hath acknowledged his guilt, and what is sufficient for his conviction, supposing what he hath declared to be true, and, if otherwise, he ought to be proceeded against agreeably to law, and punished according to his offence. I have transmitted to you the several depositions, by which I apprehend you will agree with me in opinion, that no dependence can be had on the declaration given by the informant, but must wholly be disregarded. Villany of this kind is not new.—We have a recent instance of this sort at home, Britain and others conspiring in the most horrid manner to charge the officers of state with a crime that the whole world knew they could not possibly be guilty of.

The schooner, when she was destroyed, lay aground in a narrow river near thirty miles from the main sea, and as all ports and havens are *infra corpus comitatus*, I am of opinion, that in this case, the Admiral hath no jurisdiction. His Honor the Chief Justice has favored me with his opinion on this matter, which herewith I enclose. When Aaron is delivered into the hands of the civil authority, whatever is legal and necessary will undoubtedly be done. I have advised with the King's Attorney, whose opinion and advice coincides with what I have written on the subject of Aaron's declaration.

I am your Honor's most obedient humble servant,

J. WANTON.

The Honorable Admiral MONTAGU.

The following was his answer:

Boston, 1st September, 1772.

SIR:—I received your letter dated 22d July, with three depositions enclosed. I deferred answering it till I had seen and examined Aaron, the black indentured servant, who says he was in one of the boats that boarded and burnt the *Gaspee*; and it is clear to me from many corroborating circumstances, that he is no impostor. Sorry I am that no regard can be had to his information in your opinion. In my opinion, the depositions your Excellency sent me prove nothing that confutes any thing he has said. However, it is not in my power to do more than I have to bring the offenders to justice; the whole must rest with you, who are upon the spot. I find the master of Aaron, the black, has arrested Captain Linzee for the detention of his servant; therefore, as Captain Linzee has done nothing but by my orders, I have bailed him, and will keep the fellow. I did intend sending him to you, had not his master taken this step. I shall not trouble your Excellency any more on the subject of the *Gaspee*, but leave the result of the whole conduct of his Majesty's good subjects at Rhode Island to him and his ministers, and am, sir, your most obedient and humble servant.

J. MONTAGU.

Governor WAXTON.

Here ended the proceedings of the colony and the English Admiral in relation to this subject. Soon after the following papers arrived in this country from the government at home:

[L. S.] GEORGE R.

By the KING.

A PROCLAMATION:

For the discovering and apprehending the persons who plundered and burnt the *Gaspee* schooner, and barbarously wounded and ill-treated Lieutenant William Duddingston, commander of the said schooner.

Whereas, we have received information that upon the 10th day of June last, between the hours of twelve and one in the morning, in the Providence or Narragansett river, in our colony of Rhode Island and Providence Plantations, a great number of persons, armed with guns and other offensive weapons, and led by two persons, who were called the captain and head sheriff, in several armed boats, attacked and boarded our vessel called the *Gaspee* schooner, then lying at single anchor in the said river, commanded by our Lieutenant William Duddingston under the orders of our rear Admiral John Montagu, and having dangerously wounded and barbarously treated the said William Duddingston, took, plundered, and burnt the said schooner:

We, to the intent that said outrageous and heinous offenders may be discovered, and brought to condign punishment, have thought fit, with the advice of our Privy Council, to issue this our royal proclamation. And we

are hereby graciously pleased to promise, that if any person or persons shall discover any other person or persons concerned in the said daring and heinous offences above-mentioned, so that he or they may be apprehended and brought to justice, such discoverer shall have and receive, as a reward for such discovery, upon conviction of each of the said offenders, the sum of *five hundred pounds*. And if any person or persons shall discover either of the said persons who acted as, or called themselves, or were called by their said accomplices, the head sheriff or the captain, so that they, or either of them, may be apprehended and brought to punishment, such discoverer shall have and receive, as a reward for such discovery, upon conviction of either of the said persons, the further sum of *five hundred pounds*, over and above the sum of *five hundred pounds* herein before promised for the discovery and apprehending any of the other common offenders above mentioned; and if any person or persons concerned therein, except the two persons who were called the head sheriff and captain, and the person or persons who wounded said Lieutenant William Duddingston, shall discover any one or more of the said accomplices, so that he or they may be apprehended and brought to punishment, such discoverer shall have and receive the said reward or rewards of *five hundred pounds* or *one thousand pounds* as the case may be; and also our gracious pardon for his said offence: And the commissioners for executing the office of Treasurer of our Exchequer, are hereby required to make payment accordingly of the said rewards. And we do hereby strictly charge and command our Governors, Deputy Governors, Magistrates, officers, and all other our loving subjects that they do use their utmost diligence, in their several places and capacities, to find out, discover, and apprehend the said offenders, in order to their being brought to justice. And we do hereby command that this our Proclamation be printed and published, in the usual form, and affixed in the principal places of our town of Newport, and other towns in our said colony, that none may pretend ignorance.

Given at our Court at St. James, the twenty-sixth day of August, 1772, in the twelfth year of our Reign.

God save the King.

—
George the Third, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c., To our trusty and well beloved Joseph Wanton, Esquire, Governor of our Colony, called the English Colony of Rhode Island and Providence Plantations, in New England in America; our trusty and well beloved James Horse-mander, Esquire, our Chief Justice of our province of New York; our trusty and well-beloved Frederick Smythe, Esquire, our Chief Justice of our Province of New Jersey;

our trusty and well beloved Peter Oliver, Esquire, Chief Justice of our Province of Massachusetts Bay in New England; and our trusty and well beloved Robert Auchmuty, Esq., our Judge of our Vice Admiralty Court established at Boston, with jurisdiction in all causes arising within the limits of our Colonies of New Hampshire, Massachusetts Bay, Rhode Island and Connecticut:

GREETING.

Whereas, our armed schooner, called the Gaspee schooner, commanded by Lieutenant William Duddingston, under the orders of Rear Admiral Montagu, was stationed in Providence or Narragansett river, in or near to our Colony of Rhode Island and Providence Plantations in New England, the said Lieutenant William Duddingston having proper commission and authority to seize to our use such prohibited and unaccustomed goods, as he should find carried in and on board any ship, bottom, boat or other vessels contrary to law, whereby the same is forfeited.

And, whereas, we have been informed that very many ill disposed persons have dared, from time to time, in defiance of our laws and authority, to insult and otherwise hinder the said Lieutenant William Duddingston, in the performance of his duty, and their boldness in that respect grew to so desperate an height, that on or about the tenth day of June last, great multitudes of people were assembled in our town of Newport and places adjacent in our said colony, by beat of drum, armed with guns and other offensive weapons, and led on by two persons, whom they called the head sheriff and the captain, and so proceeded in warlike manner, with armed boats to attack our said schooner, and having traitorously wounded the said Lieutenant, overpowered the crew, took, plundered and burnt our said vessel: We being desirous to be perfectly informed how so daring an attempt could be concerted, prepared and carried into execution in the chief town of our said colony, the residence of the Governor and principal magistrates thereof, not only for the purpose of bringing the said offenders and their maintainers, aiders and abettors, to condign punishment, but also to the end, that fit and speedy order may be taken for securing the future peace, obedience, and well government of our said colony; and placing much confidence in your wisdom, diligence, loyalty, and integrity, do, by these presents, appoint you, the said Joseph Wanton, Daniel Horsmander, Frederick Smythe, Peter Oliver, and Robert Auchmuty, our commissioners to inquire into and report to us a full and true account of all the circumstances relative to the attacking, taking and plundering and burning our said schooner, and to the assembling, arming, training, and leading the people concerned therein, and to the concerting and preparing the said attack, and of all other insults and

obstructions which have been given to the said Lieutenant Duddingston, or to our service in general in our said Colony of Rhode Island and Providence Plantations, and of the causes which have occasioned so daring a violation of our laws and authority, and also to inquire and report what measures have been taken or used by the magistrates of our said Colony and other our good subjects therein respecting the same. And for the better execution of our royal will and pleasure therein, we do hereby give unto you, the said Joseph Wanton, Daniel Horsmander, Frederick Smythe, Peter Oliver, and Robert Auchmuty, or any three of you, full power and authority to receive all such informations and advertisements as shall be brought unto you by or from any of our loving subjects or others, touching the premises; and, also, to inquire, by the examination of witnesses on oath, which oath we do hereby give you or any of you full power, warrant and authority to administer, or by such other ways and means as you, or any three of you, shall, in your discretion, think fit, into the premises or any of them; and we do further give you, or any three of you, full power and authority to send for such persons, papers, and records as shall be useful to you for the better carrying on the service hereby intended, willing and requiring you, the said Governor, the Deputy Governor, and all other our magistrates, officers, and loving subjects within the said Colony, to be in all things helpful, aiding and assisting to you, and every of you, in the execution of this our royal commission. And we do further strictly charge and command you, and every of you, that, in the execution and performance of the powers and authorities to you hereby given, you and every of you, do carefully observe and conform yourselves to such instructions as shall be given and sent unto you, in writing, under our sign manual, and to report to us a full and true account of your proceedings herein.

In witness whereof we have caused these our letters to be made patent. Witness ourself at Westminster, the second day of September, in the twelfth year of our reign.

By the King himself,

YORKE.

GEORGE R.

[L. S.]

Instructions to our trusty and well beloved Joseph Wanton, Daniel Horsmander, Frederick Smythe, Peter Oliver and Robert Auchmuty, Esquires, our Commissioners for enquiring into the circumstances relative to the attacking, plundering and burning our armed schooner, called the Gaspee schooner, within our Colony of Rhode Island in America, on the tenth day of June last, and into the causes thereof, and of the violences and insults offered upon that occasion to our officers employed in our service: Given at our Court at St. James the fourth day of Sep-

tember, 1772, in the twelfth year of our reign.

Article 1st. With these our instructions you will receive our commission under our great seal of Great Britain constituting and appointing you our commissioners for enquiring into and making report to us of all the circumstances relative to the attacking, plundering and burning the *Gaspee* schooner on the tenth of June last in the Narragansett river, within our Colony of Rhode Island, and to the assembling, arming, and leading on the persons who made the said attack, and to the concerting and preparing the same; together with all such other powers and authorities as are judged necessary for that purpose: You are therefore to take upon you the execution of the trust reposed in you, and so soon as three or more of you shall have been assembled at Newport, within our said Colony of Rhode Island, you are to cause our said commission to be read and published in such manner and form, and with such solemnity as are due to the authority from which it proceeds, and the important occasion which it is issued, using your own discretions as to all such other times and places of your meetings, according to what shall appear to you, or the major part of you, to be most fit and proper.

Art. 2d. You are to use your utmost care and diligence pursuant to the authorities and directions contained in our said commission, in making a very full and particular inquiry into all the circumstances relative to the attacking, plundering, and burning our armed schooner the *Gaspee*, on the tenth of June last in the Narragansett river, within our said Colony of Rhode Island, and to the assembling, arming, and leading on the persons who made the said attack, as also into the causes and occasions thereof, and into all the steps that have been taken by the civil magistrates in their respective stations, for the discovery and punishment of the perpetrators of those heinous offences, and to those ends you are to summon before you, all such persons as you shall think may be able to give any information touching the said objects of inquiry, and likewise to order all informations, depositions and examinations, which may have been taken and made in writing, touching those matters or authentic copies thereof to be laid before you, and to make a report to us, by one of our principal Secretaries of State, of all your proceedings and of what shall appear to you respecting the conduct of the magistrates and people of Rhode Island on that occasion.

Art. 3d. And, whereas, the civil magistrates and officers within our said Colony of Rhode Island, are entrusted with the power and authority to arrest and commit to custody such of the persons concerned in the plundering and destroying the *Gaspee* schooner, and in the inhuman treatment of our officer who commanded her, against whom any informa-

tion shall lay, taken in order to the said offenders being sent to England to be tried for that offence; it is therefore our will and pleasure that you do, from time to time, communicate to the said civil officers and magistrates, such informations as you shall be able to collect touching the persons concerned in that daring attack upon our authority and commission, to the end that they may be accordingly arrested and delivered to the custody of the commander-in-chief of our ships and vessels in North America, pursuant to such directions as we have thought fit to give for that purpose.

Art. 4th. And whereas it is of importance with regard to the mode of proceeding against the said offenders that they should be exactly informed of the place where the offence was committed, it will therefore be your duty to take care in all your proceedings upon this enquiry, as well as in your reports thereof to us, by one of our principal Secretaries of State, to ascertain with the greatest precision whether the offence was committed and done within the body of the Colony, and if so, within what County or district thereof, if not so, in what other place the said offence was committed and done.

Art. 5th. And whereas there may be reason to apprehend, from the outrages which have been committed within our said colony of Rhode Island, by numbers of lawless persons, that insults may be offered to you; It is therefore our will and pleasure that if any disturbance shall arise with a view to obstruct you in the execution of your duty, and any violence should in consequence thereof be offered to you, you do in such case, give immediate notice thereof to the commander-in-chief of our forces in North America, and require of him to send such a military force into the Colony as you shall judge necessary for your protection, and for the aiding the civil magistrates in suppressing any tumults or riots and preserving the public peace.

Lastly. It is our will and pleasure that you do take an account by way of Journal of all your acts and proceedings in the execution of the powers and directions given to you, and that the reports which you are to make us, by one of our principal Secretaries of State, of those proceedings, be in writing and signed by any three or more of you.

G. R.

These papers were transmitted to Admiral Montagu, and sent by him to Gov. Wanton, by express:

Boston, 11th December, 1772.

SIR:—Last night an express arrived with despatches from the Right Honorable my Lords Commissioners of the Admiralty, by which came under cover to me, the packet I send to you herewith. As it may be of great consequence, I have thought proper to charge Mr. Montagu, one of my Lieutenants, with it.

In my despatches from their Lordships I

am directed to repair to Rhode Island to assist you, and the rest of the gentlemen in the commission, which I shall do as soon as you inform me that you are ready, with the commissioners, to proceed to business and deliver the commission, and the King's instructions to you. In the meantime, Captain Keeler, in his Majesty's ship Mercury, has my orders to assist you and receive any prisoners or persons you may send him. Permit me to say, I should think it advisable to have the persons apprehended that I sent you an account of some months ago, which the indentured mulatto informed and has sworn against. The mulatto remains on board with the Captain, and shall be ready to attend the commission whenever he is called for.

As I find Captain Keeler is often made a prisoner from frequent arrests he meets with, as well as insults when he comes on shore, I am to desire, in case the commission should at any time want him, you will direct his person to be secured from insults or arrests.

Whenever you will favor me with your commands, you will find me ready to co-operate with you in every thing for the King's service.

Have the honor to be, sir, your most obedient humble servant. J. MONTAGU.
Gov. WANTON.

P. S.—I must beg leave to recommend to you, as first in the commission, to appoint a time for the first meeting, and to give notice to the other gentlemen named in the commission and me, and that you will make the time as short as you can consistent with proper notice, for particular reasons.

This led to the following correspondence before the opening of the session of the commission :

NEWPORT, December 11, 1772.

SIR:—I am favored with yours by Mr. Montagu, together with despatches from the Right Honorable the Earl of Dartmouth, respecting the destruction of the Gaspee. I shall appoint a time for meeting the commissioners authorised to inquire into the circumstances of that transaction, as soon as may be, and give you the earliest intelligence thereof, in conformity to his Majesty's orders. His Majesty's proclamation I shall cause to be printed without delay, and sent into the several towns within the Colony.

I am your most humble servant,
J. WANTON.
Honorable J. MONTAGU.

NEWPORT, December, 11, 1772.

SIR: By express from Admiral Montagu I have this moment received a letter from the Earl of Dartmouth, advising of your being one of the commissioners for inquiring into the circumstances of burning the schooner Gaspee. I have thought proper to give you this information, and that I shall fix upon a

time for meeting the commissioners, and give you and the other gentlemen named in the commission, notice thereof without delay.

I am, with real regard, sir, your most obedient servant,
J. WANTON.
The Honorable PETER OLIVER, Esq.

ROXBURY, December 11, 1772.

SIR:—I embrace this opportunity of acquainting you that I have received his Majesty's orders to attend you and other gentlemen commissioners for examining into the business and plundering the schooner Gaspee. In obedience to which, I shall on notice, with all convenient despatch, attend you on that affair. I shall be glad to know when you think the gentlemen can be got together, and am, with great respect,

Your Honor's most obedient servant,
ROBERT AUCHMUTY.

To Gov. WANTON.

NEWPORT, December 14, 1772.

SIR:—I have received your favor by Mr. Montagu. I shall fix upon a time for meeting the commissioners appointed to inquire into the circumstances of destroying the Gaspee schooner, and give you and the other gentlemen mentioned in the commission the earliest intelligence thereof.

I am, with esteem, your most obedient servant,
J. WANTON.
Hon. ROBERT AUCHMUTY.

December 21, 1772.

SIR:—When I received the Earl of Dartmouth's letter of the 4th of September, and in consequence thereof wrote you on the 11th inst, I was preparing to set out for the Assembly, who were adjourned to meet that day at Providence, and therefore I had not then time to attend so maturely to his Lordship's letter as its importance required. The letter I received from Admiral Montagu, by the same express which brought me the despatches from Lord Dartmouth, induced me to suppose I was authorized to appoint a time for the first meeting of the commissioners; but as Lord Dartmouth has signified to me that my associates in the commission are directed to repair to Newport, and by a vessel this day from New York, I am informed that the Chief Justice of that Province and the Chief Justice of New Jersey have engaged their passages, and will be here some time next week. I thought it proper to give you this information, and that I am ready to meet you agreeably to the royal instructions, whenever it may suit your convenience to attend. As soon as a quorum can be got together, I shall, without loss of time, notify Admiral Montagu, in obedience to the King's command.

I am, sir, your most humble servant,
J. WANTON.

Circular to the Judges Oliver and Auchmuty.

NEWPORT, Dec. 22, 1772.

SIR:—In obedience to the King's command signified to me by the Right Honorable the Earl of Dartmouth, one of his principal Secretaries of State, I have caused to be printed his Majesty's proclamation for discovering and apprehending the persons who plundered and burnt the Gaspee schooner, copies of which I send you by express, which you are forthwith to affix in the most public places of the several towns within your county.

I am, sir, your humble servant,

J. WANTON.

Circular to the Sheriffs of the several towns.

December 24, 1772.

SIR:—By a vessel this day from New York, I am informed that the Judges Horsemander and Smythe, have engaged their passages in the sloop Lydia, John Freebody, master, and will probably be here in about a week. I give you this information for your government.

I am, sir, your most obedient servant,

J. WANTON.

Admiral MONTAGU.

Boston, 28th December, 1772.

SIR:—I am favored with your letter informing me the Judges Horsemander and Smythe are expected at Rhode Island in the course of the week. If you will be pleased to inform me when you are ready to receive his Majesty's commission. I will take care to have it delivered agreeable to my instructions.

I shall be glad to know whether you intend to proceed to business, or adjourn to any particular time, that I may conduct myself relative to his Majesty's service here, accordingly.

I am, sir, your most obedient humble servant,

J. MONTAGU.

His Honor Gov. WANTON.

NEWPORT, Jan. 1, 1773.

SIR:—The Judges Horsemander and Smythe arrived here last evening from New York, and are ready to proceed immediately upon business. A number sufficient to constitute a quorum are now assembled at Newport waiting to receive from you the royal commission and instructions, of which I have thought it proper to give you this information by express.

I shall be glad to wait on you at Newport, and am, sir, your most obedient and humble servant,

J. WANTON.

Admiral MONTAGU.

NEWPORT, January 1, 1773.

SIR:—The Judges Horsemander and Smythe arrived last evening from New York. This will be delivered you by express I send

to the Admiral, and hope I shall have the pleasure of waiting on you this week, if your health will permit. My letter to Judge Oliver, you have, without doubt, sent him. I am therefore in expectation of seeing him every hour. I have only to add the compliments of the season, and am, sir,

Your humble servant,

J. WANTON.

Judge AUCHMUTY.

NEWPORT, January 4, 1773.

SIR:—The commissioners meet at 12 o'clock this day at the Colony house, at which time I expect the return of the express, when it is probable it will be determined whether it is proper to defer opening the commission until the Admiral arrives. Your attendance will be necessary.

I am, yours, &c.,

J. WANTON.

Captain KEELER.

Boston, 2d January, 1773, at 3 o'clock afternoon.

SIR:—I am this moment favored with your letter by express, acquainting me the Judges Horsemander and Smythe are arrived at Newport and ready to proceed immediately upon business, and are therefore ready to receive his Majesty's royal commission, which, by my instructions, I am to cause to be delivered to them. I beg leave to inform you that my Captain left this place yesterday morning charged with the commission to be given to Captain Keeler, the senior officer of his Majesty's ships at Rhode Island, who has my orders to wait on you and know your pleasure, when he shall wait upon the commissioners with it. He is also directed to give the commissioners all the assistance in his power, and to receive such persons, either prisoners or witnesses, as they shall send to him. He has likewise my directions to inform the commissioners that he has some on board that can give information relative to the burning the Gaspee, as well as of the persons concerned in that affair, and he is directed to send them to the commissioners whenever they are pleased to demand them.

As the season of the year does not admit of my coming to Rhode Island with my flag, and such ships as shall be necessary to assist the commissioners agreeable to my instructions, yet if the commissioners shall think it right, and for the good of the service they are upon, that my presence is necessary, I shall be ready to set out the moment I receive such notice from them. But I flatter myself they will be able to do so without me, as I have nothing to do but to receive such persons as may [illegible] from them.

I am, with respect, sir, your most obedient humble servant,

J. MONTAGU.

Gov. WANTON.

The commissioners met at the State House in Newport on the fifth day of January, 1773. Their proceedings from day to day are minutely in their Journal :

Colony of Rhode Island, &c.

Proceedings had and taken by virtue of a royal commission under the seal of Great Britain, directed to the Honorable Joseph Wanton, Esq., Governor of the English Colony of Rhode Island and Providence Plantations in New England in America; Daniel Horsemander, Esq., Chief Justice of the Province of New York; Frederick Smythe, Esq., Chief Justice of the Province of New Jersey; Peter Oliver, Esq., Chief Justice of the Province of Massachusetts Bay, in New England; Robert Auchmuty, Esq., Judge of the Vice Admiralty Court established at Boston, with jurisdiction in all cases arising within the limits of the Colonies of New Hampshire, Massachusetts Bay, Rhode Island and Connecticut, commissioners appointed for enquiring into and reporting to his Majesty a full and true account of the circumstances relative to the attacking, taking, plundering and burning his Majesty's armed schooner called the *Gaspee*, commanded by Lieutenant William Duddingston, Esq., within the Colony of Rhode Island in America, on the 10th day of June, A. D. 1772, and for other purposes therein mentioned, at the Colony House at Newport, in Rhode Island, Tuesday the fifth day of January, A. D. 1773, the above commissioners being present.

His Majesty's said royal commission, with instructions to said commissioners under his Majesty's signet and sign manual, were delivered to the commissioners by Robert Keeler, Esq., commander of his Majesty's ship *Mercury*, which said commission was publicly read and proclaimed.

On the perusal of said instructions, the commissioners conceived that the presence of Rear Admiral Montagu, commander-in-chief of his Majesty's ships and vessels employed in North America, is necessary for the furtherance of the present service. The following letter was thereupon written and delivered by James Clarke, one of the Secretaries of the commissioners, to Captain Simmons, to be by him immediately conveyed to Admiral Montagu.

The commissioners then proceeded to take the usual State oaths, which were administered first by Daniel Horsemander, Esq., to Joseph Wanton, Esq., and afterwards by him to the other commissioners. The commissioners then appointed James Brenton and James Clarke, Esqs., joint Secretaries, who were accordingly sworn truly and faithfully to execute the duties of their office.

They then adjourned till to-morrow at 11 o'clock, then to meet at the Colony House aforesaid.

Wednesday, Jan. 6, 1773.

The commissioners met according to adjournment.

The commissioners determined that it was necessary that an advertisement be published in the next *Newport Mercury*, giving notice that the said commissioners had assembled and were now daily sitting at the Colony House, in Newport, for the purpose of proceeding on and duly executing the said commission, and that they are ready to receive information relative to the attacking, taking, plundering and burning the *Gaspee* schooner on the 10th of June last, in consequence of which resolutions, the following advertisement was ordered to be published :

The public are hereby informed, that the honorable the commissioners appointed under the great seal of Great Britain, for inquiring into the circumstances of attacking, plundering and burning his Majesty's schooner *Gaspee*, under the command of Lieutenant Wm. Duddingston, on the 10th of June last, are now convened and continue to set every day, Sundays excepted, at the Colony House, in Newport, in conformity to his Majesty's instructions: Wherefore, all persons who can give any information to the said commissioners relative to the assembling, arming and leading on the persons who made the said attack, and to the directing and preparing the same, are requested forthwith to give information thereof to said commissioners at the above mentioned place."

The proceedings on said commission were then adjourned till to-morrow at 10 o'clock, then to meet at the Colony House aforesaid.

Thursday January 7, 1773.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Frederick Smythe, Esq., Peter Oliver Esq., Robert Auchmuty, Esq.

Governor Wanton laid before the commissioners four letters which had passed between him, Admiral Montagu and Lieutenant Duddingston, also one other letter, signed by Governor Wanton, and transmitted by him by order of the General Assembly of the Colony aforesaid to Rear Admiral Montagu, which letters are prior in date to the attacking and burning his Majesty's schooner *Gaspee*, which were read and put on file. Sundry papers, letters, and depositions to the number of twenty, containing the proceedings of the Governor and Deputy Governor of the Colony aforesaid relative to the burning the schooner, were delivered by Governor Wanton to the commissioners, which were also read and ordered on file.

Governor Wanton informed the commissioners, that Mr. Sessions, Deputy Governor of the Colony, was in Newport and ready to attend the commissioners to give them an account of the steps he had taken in order to discover the persons who destroyed his Majesty's schooner *Gaspee*. A message was

sent to Mr. Sessions requesting his attendance, who accordingly came before the commissioners and was by them requested to give in writing, upon oath, a full and particular account of the measures he had taken in order to the discovery of the persons who perpetrated the aforesaid crime, which he assured the commissioners he would do without loss of time.

Stephen Hopkins, Esq., Chief Justice of said Colony, also appeared before the commissioners and assured them he was ready and willing to aid and assist the commissioners in the exercise of the power and authority with which they are invested for discovering the persons who destroyed the Gaspee schooner, &c. The commissioners then requested Mr. Hopkins to give them in writing a full and particular account of all the proceedings had and done by him for discovering and bringing to justice the persons who committed the aforesaid offence, and also what knowledge or information he had obtained of the assembling, arming, and leading on the persons who perpetrated the same, which he also promised to do without loss of time.

The proceedings on the commission were then adjourned till to-morrow at ten o'clock before noon, then to meet at the Colony House aforesaid.

Friday, January 8, 1773.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Daniel Horsemander, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., Robert Auchmuty, Esq.

Mr. Brenton, one of the Secretaries under the present commission, was examined by the commissioners touching the obstruction to the execution of a warrant issued by Metcalf Bowler, Esq., on the 17th of July last, in order to apprehend the negro Aaron, then on board his Majesty's ship the Beaver, which examination was reduced to writing, sworn to before the commissioners, and ordered to be filed.

The commissioners thought it advisable to defer the examination of any of the witnesses respecting the burning of the Gaspee, &c., until the arrival of Admiral Montagu at Newport, or they receive an answer from him to their letter written the 5th inst. and transmitted by Capt Symonds.

The proceedings on the commission then adjourned till to-morrow at ten o'clock in the forenoon, then to meet at the Colony House, aforesaid.

Saturday, January 9, 1773.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Daniel Horsemander, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., and Robert Auchmuty, Esq.

Darius Sessions, Deputy Governor of the Colony of Rhode Island, attended the com-

missioners with a declaration in writing containing a full and particular account of the measures he had taken in order to make a discovery of the persons concerned in the attacking and burning the Gaspee schooner, which was read, sworn to, and ordered to be filed.

A letter was delivered to the commissioners about 2 o'clock, P. M., then setting at the Colony House, by express, in answer to their letter of ——— forwarded by Capt. Symonds, which was read and ordered to be filed.

The commissioners immediately agreed to an answer, which was written accordingly and sent off about 3 o'clock by the same express.

During the session of the commissioners, various letters passed between them and Admiral Montagu. These will be given in the order of time.

Newport, January 5, 1773.

SIR:—We, his Majesty's commissioners, for enquiring into the attacking, burning, and plundering his Majesty's schooner the Gaspee, &c., being met at this place, in order to prevent the delay of business, thought proper to receive the royal commission and instructions from Capt. Keeler, which, until yours of the 2d inst. we concluded would have been delivered by you. This day the commission was opened and published, and the instructions carefully perused, in one of which we find the following words: "To the end that they may be accordingly arrested and delivered to the custody of the commander-in-chief of our ships and vessels in North America, pursuant to such directions as we have thought fit to give for that purpose."—By virtue of these words, we conceive, that in case any person or persons should be arrested for the above mentioned crime, you are the only person to whom such prisoners can regularly be delivered for safe custody; therefore we think your attendance at Newport is absolutely necessary. We are sorry to give you this trouble, but our duty, as we apprehend, obliges us to do it.

We are, sir, with great respect, your most obedient and most humble servants.

Copy of letter forwarded to Admiral Montagu by Capt. Symonds.

Boston, 8th Jan., 1773. }
1 o'clock P. M. }

GENTLEMEN:—I was last night favoured with your letter by Capt. Symonds, and as you are so desirous of having me at Rhode Island I shall, without you alter your opinions, set out on Monday next. At the same time, give me leave to observe to you, that my coming at the time is attended with a great delay to his Majesty's service here and at Halifax, and can answer no purpose, as I have fully and properly directed the com-

manding officer in that place in what manner he is to act relative to his assisting the commissioners, and receiving the prisoners.

You say by your instructions you are directed to deliver to the custody of the commander-in-chief of his Majesty's ships and vessels in North America, all such prisoners as may be apprehended; and therefore you are of opinion that in that case, if any person or persons should be arrested for the crime set forth in your commission, I am the only person to whom such prisoners can regularly be delivered for safe custody:

In answer to which I beg leave to refer you to the sixth paragraph of my Lord Dartmouth's letter to Governor Wanton, where you will see, "The prisoners are to be delivered to the care and custody of Rear Admiral Montagu, or the commander-in-chief in North America for the time being, or to such officer as he shall appoint to receive them."

By my instructions from the Lords of the Admiralty, I am directed to repair to Rhode Island as soon as conveniently may be with such of his Majesty's ships and vessels under my command as I shall judge proper, and give all the aid and assistance in my power for detecting and bringing to justice the offenders. The winter season is so far advanced as prevents my complying with that part of my orders, as it is very improper to move so large a ship as the Captain at this time of the year, and without her it is impossible for me to carry on the service.

I flatter myself there has been no delay of business owing to my not coming with the commission for had I been there I should have tendered it in the same manner I have done, as by my instructions, I am directed, when the commissions are ready to receive it, to carry it to be delivered to them.

I shall certainly set out on Monday next if I can complete my business here, and be ready to give you every assistance in my power.

I am, with respect, gentlemen, your most obedient and most humble servant

J. MONTAGU.

To His Majesty's Commissioners at Rhode Island.

Newport, Rhode Island,
11th January, 1773.

GENTLEMEN:—At your request, although at a very inopportune time of the year, and not in the manner I am directed by my instructions from my Lords Commissioners of the Admiralty, I am come to this place, and have been and am still on board the *Lizzard*.

I shall be glad therefore that you will inform me what extent I can render to you in the execution of your commission.

I flattered myself I had given Captain Keeler the senior officer of his Majesty's ships here such orders as would not have required my attendance until I was able to have come in a proper manner with the

ships under my command, and at a proper season of the year. I doubt not but what he would have faithfully put his orders in force, and have given you the same assistance I can possibly do now I am come.

I have ordered Aaron, the Negro, to be brought to the wharf agreeable to your summons, who will be delivered to your officer, and I am to desire, when you have done with him, the civil officers may be directed to see him safe to the boat again.

I am, gentlemen, your most obedient and humble servant,

J. MONTAGU.

To His Majesty's commissioners at Newport.

LIZZARD, 16th January, 1773.

GENTLEMEN:—As I am informed there is a ship bound to England, I shall embrace the opportunity of writing to my Lords Commissioners of the Admiralty, acquainting them of my proceedings, as also of the improbability of my remaining here, to assist the commissioners, until I can come in a proper manner, at a proper season of the year.

I shall be glad to inform me, whether you think the presence of Captain Duddingston is necessary, that I may apply to their Lordships for his being sent out as soon as convenient.

As the business of the naval department is totally at a stand, and cannot be carried on without I had my ships here, I propose returning to Boston on Wednesday next, and shall, at a convenient time of the year repair to this place again agreeable to my instructions from their Lordships. In the meantime I shall take care to leave such orders with the senior officers of his Majesty's ships as will answer every purpose of my staying.

I shall, before I go, lay before you the names of some persons who can give you information relative to the assembling the people concerned in burning the King's schooner.

I must beg your answer, as I cannot close my letter to the Admiralty until I receive it.

I am, gentlemen, your most obedient humble servant,

J. MONTAGU.

His Majesty's commissioners assembled at Newport.

John Andrew, Esq., Judge of the court of Vice Admiralty within the Colony of Rhode Island; Mr. Arthur Fenner, Clerk in the Supreme Court in the county of Providence; Messrs. John Cole, George Brown, and Daniel Hitchcock, Attorneys at Law in the town of Providence; James Sabin Vintner, in the town of Providence.

It is the desire of Admiral Montagu that the above named persons may be summoned and examined before the commissioners relative to the assembling of people in the town of Providence, in the evening of the 9th of June last as a measure necessary towards

the discovery of the persons concerned in the burning his Majesty's schooner the *Gaspee*.

J. MONTAGU.

COUNCIL CHAMBER, Newport, }
January, 16th, 1773. }

SIR:—Yours of the 14th instant we should have answered yesterday, but the weather was so extremely bad as to prevent the commissioners meeting. You remark to us your coming here at a very unseasonable time, and not in the manner as you are directed by your instructions, to which you are sensible we are not utter strangers, nor was it our intention in writing to you to infringe in the least upon the same. As we have already informed you how our instructions are worded, we omit a repetition of the same, but beg leave to refer you to the last paragraph in the commission, by which you will perceive that we are expressly charged to conduct ourselves by such instructions as we should receive under the signet and sign manual, and agreeable to which we have acted.

We have no doubt but Capt. Keeler would have punctually obeyed your orders. The difficulty did not arise on that head, but from a conviction of the irregularity of departing from our instructions.

We shall be much obliged to you when convenient, if you would attend us as a board, having some questions to ask you relative to the information Lieutenant Duddingston gave you concerning the burning and destroying the *Gaspee*.

To the Honorable Admiral Montagu, commander-in-chief of His Majesty's ships, &c., in North America.

COUNCIL CHAMBER, Newport, }
January 16, 1773. }

SIR:—After repeatedly informing you of our instructions, and also in our last of a certain paragraph in our commission, copies of both which you have, and our sense of the same we submit the construction of your orders from the Lords commissioners of the Admiralty entirely to you.

In our last, and before we received yours of this day, we had desired your attendance in order to give us an account of what Lieut. Duddingston had related to you concerning the burning and destroying the *Gaspee*.

We shall be always ready to receive any information from you relative to the business we are met on, and are, sir,

Your most obedient humble servants,

To the Honorable Admiral Montagu, commander-in-chief of his Majesty's ships in North America.

NEWPORT, 19th January, 1773.

GENTLEMEN:—As an opportunity offers for sending to England, I am willing to embrace it, to inform my Lords commissioners of the Admiralty of my arrival and proceedings at this place. As you were pleased to

signify to me your intention of writing upon the subject of adjourning your court, I shall be glad to receive it as soon as possible, that I may close my public letters, as I propose leaving this place to-morrow morning.

I am, with respect, gentlemen, your most obedient humble servant,

J. MONTAGU.

His Majesty's commissioners, &c., &c., at Newport.

COUNCIL CHAMBER, Newport, }
January 19th, 1773. }

SIR:—In our last conversation with you, you were pleased to inform us that by report Capt. Duddingston had made such declarations relative to his recollection of the persons concerned in the destruction of the *Gaspee* that his testimony would be very material in our present inquiry, and from the language of Mr. Duddingston's letter to you, which you laid before us, we must be of the same opinion, as it is our determined resolution to do all in our power faithfully to execute the commission his Majesty has thought fit to honor us with; we must request of you to take such measures as you think proper to get Capt. Duddingston to America, in order that he may be examined.

In the same conversation you also informed us that at this inclement season of the year it was impossible for you properly to execute your orders relative to the affair we are now met on, and that the other duties of your department must suffer if you did not very soon return to Boston, and therefore it was your determination to go thither to-morrow, or next day, if possible.

Your absence from us, you are sensible, as we construe our instructions, and as we yesterday informed you, must make an adjournment of this board necessary. Indeed, without this difficulty, it is highly probable we should find ourselves under a necessity of adopting the same measure for the want of Capt. Duddingston, and from the extreme rigor of the season, which renders it almost impossible to get witnesses who are at any distance from us.

We are, with great respect, your most obedient and humble servants.

P. S.—Though the time to which the commissioners will adjourn is not absolutely fixed, yet it seems to be their opinion that it must be on or about the 26th of May next, which they hope will be agreeable to you.

According to the preceding journal of the commissioners, two or three letters which passed between them and the Admiral are wanting to complete the file of the correspondence. During their session they examined several witnesses, and held correspondence with several others. These will now be given in their proper order.

James Brenton, now residing in Newport, in the Colony of Rhode Island in North America, Esq., being of full age, duly sworn upon the Holy Evangelists, deposes and saith, that upon the seventeenth day of July last, he was requested by the Hon. Joseph Wanton, Esq., Governor of the colony of Rhode Island aforesaid, to attend Robert Lillibridge, one of the deputy sheriffs in the county of Newport in said colony, who was ordered with warrant from Metcalf Bowler, Esq., one of the Justices of Assize in said colony, to repair on board his Majesty's ship the *Beaver*, and to make diligent search for one Aaron, a mulatto lad, charged with being concerned (with others unknown) in attacking and burning his Majesty's schooner the *Gaspee*, on the tenth of June last, and upon finding the said Aaron, to take him before the said Metcalf Bowler, or some other lawful authority, in order that the said Aaron might be examined relative to the said transaction, and be proceeded against accordingly to law.

That this deponent, about one o'clock in the afternoon of the said seventeenth day of July, went with the said deputy sheriff from said Newport, in order to go on board his Majesty's ship the *Beaver*, then lying in the harbor of Newport; that when the boat in which this deponent and the said deputy sheriff were, came near the said ship, they were forbid by the sentinel upon the ship's gangway from going on board. This deponent then acquainted a person, who appeared to be the commanding officer, upon the deck of said ship, that he, this deponent, with your said deputy sheriff, were then come to demand that Aaron, a mulatto lad, who was charged with being concerned in the attacking and burning the schooner *Gaspee*, and who they were informed was then on board said ship, might be delivered to the deputy sheriff in pursuance of a warrant for that purpose; that the said officer then on deck answered this deponent, that Captain Lindsey, the commander of the said ship, was not on board, and that he, the said officer, could do nothing without orders; the said officer further acquainted them that Capt. Lindsey was then on shore at Brenton's Point; that this deponent then, together with the said deputy sheriff, went on shore at the farm of Jahleel Brenton, where, at the said Jahleel Brenton's house, this deponent saw the said Capt. Lindsey, and acquainted him that he came to attend the deputy sheriff with a warrant, in order to demand of him, the said Capt. Lindsey, that he would deliver up to the civil magistrate a mulatto boy called Aaron, (who, they were informed, was on board the *Beaver* man-of-war under his command,) in order for his examination and commitment, and at the same time, this deponent showed to the said Capt. Lindsey the said warrant, and he was then and there requested to deliver up said mulatto in consequence

thereof; to which the said Capt. Lindsey then answered, that it was true that he had the said mulatto then on board his Majesty's said ship the *Beaver*, but that he would not deliver him to any civil authority whatever in the said colony. This deponent then told Capt. Lindsey, that he, this deponent, came to wait upon the said Capt. Lindsey at the particular request of Gov. Wanton, the chief magistrate of said colony, in order to explain to him, if necessary, the nature of the warrant and the impropriety of Capt. Lindsey's conduct in withholding a man charged with a capital crime from the civil power; to which Capt. Lindsey replied, that he knew no civil authority in said colony; that in regard to the Governor, he was a damned rascal, and that Admiral Montagu's power was the only power he knew in America, and without his orders he should not deliver the said mulatto.

The deponent then asked him, the said Capt. Lindsey, if he had any doubt about the legality of the warrant, which this deponent held in his hand; to which Capt. Lindsey, looking carelessly upon it, said, it might be good for what he knew, but that he did not regard it any more than if it was a piece of blank paper.

This deponent further saith, that the deputy sheriff (who was with this deponent at Jahleel Brenton's farm) did not go into the house where Capt. Lindsey was, but waited without door, as Capt. Lindsey (being at that time suspicious of being arrested by civil process, on account of some seizures which had been made by him,) would not consent the deputy sheriff should see him, and further this deponent saith not.

J. BRENTON.

NEWPORT, January 8, 1773.

Sworn to before the commissioners,

J. Wanton, *Fred. Smythe,*
Dan. Horsmander, *Peter Oliver,*
Robt. Auchmuty.

Colony of RHODE ISLAND, &c.

Be it remembered that at Newport in said colony, on the ninth day of January in the year of our Lord one thousand seven hundred and seventy-three, before the commissioners appointed by a commission under the great seal of Great Britain, for inquiring into and reporting unto his Majesty all the circumstances of burning his Majesty's schooner *Gaspee*, &c., on the tenth of June last, in his proper person came and appeared the Hon. Darius Sessions, Esq., of Providence, and deputy governor of the colony aforesaid, who being duly sworn upon the Holy Evangelists of Almighty God, testifieth and saith; that in the evening of the ninth of June last, at about nine o'clock, he heard a drum beat in the street opposite to his house. Soon after he went to his window and looked out, and saw the drum surrounded by a number of boys at some distance from the house go-

ing up street; in a short time afterwards he heard the drum returning, whereupon he went back to his window, where he remained until it passed his house, and, as the moon shone very bright, he could plainly discover they were only a company of boys, not exceeding ten or twelve in number, two or three of which appeared to be about thirteen or fourteen years of age, the others about ten or twelve; and concluding they were gathered together with no other design than to divert themselves with the drum, he retired from his window without saying anything to the boys, soon after which the noise of the drum ceased; the remaining part of that night he heard not the least noise or disturbance in the streets or in any other part of the town, nor received any the least hint, suggestion, intimation or information of any riot, outrage or tumultuous assembling of the people, nor intention thereof, neither did he then know there was an armed vessel in the river nearer than the town of Newport, which is thirty miles from Providence; had he known or even suspected any riot, his utmost endeavors would have been exerted in suppressing it. The next morning one of his neighbors came and told him the Gaspee was burnt and the captain wounded, and that an express had arrived in town for a surgeon to dress the wounds of the officer who lay then at Pawtuxet, about five miles from Providence. Immediately upon hearing this disagreeable news, he set out with a design to examine into the affair, and when he reached Pawtuxet he saw the schooner on fire, lying on a point of land called and known by the name of Namquit Point, about two miles from Pawtuxet, in the town of Warwick, in the county of Kent, and colony aforesaid. He made inquiry if any of the offenders were known, but could get no information; he then went to a small house by the shore, where he heard Lieutenant Duddingston was lodged, and there found him in dangerous circumstances. He told Lieutenant Duddingston if he wanted money, surgeons, or better lodgings, or any kind of assistance he should have every relief in his power. Mr. Duddingston replied, that he had saved his money, which was about one hundred dollars, and therefore wanted no favors for himself, but desired that some care might be taken of his people, that they might be collected together and sent to the Admiral to Boston, or on board the Beaver at Newport, which the deponent promised he would do. He then told Mr. Duddingston the design of his visit at that time was not only to afford him any assistance he might need, but also to procure such a declaration from his own mouth respecting the attack that had been made on his person, and the vessel he commanded, that the offenders might be brought to justice. Mr. Duddingston answered, that he would give him no account of the matter; first, because of his indisposition of body, and

second, because it was his duty to forbear anything of that nature until he had done it unto a court martial, unto which, if he lived, he would be called by his commanding officer. The deponent then asked him if he was willing he should examine his officers and people, which, after some refusal, he consented to, and they all agreeing nearly to everything material relative to the destruction of the schooner, he forthwith transmitted copies of their examinations to the Governor. The deponent then gave orders that the seamen should be collected together and provided with victuals and lodgings, and that a boat should be got ready by the next morning to carry them on board the Beaver, all which was executed with care and expedition. The deponent also gave orders that the stores and remains should be collected and lodged in a ware house, which was done, and soon after delivered to Capt. Lindsey, of the Beaver. He also desired a gentleman, who lived near Mr. Duddingston, to supply said Duddingston with any thing he wanted, and also that he would lodge and entertain any surgeons or others who might come to visit him, and which the deponent verily believes he verily complied with. These expenses were recommended by the deponent to the General Assembly, who ordered payment out of the public treasury. The deponent consulted with the Chief Justice, and most of the civil authority in that part of the colony where he resides, who highly disapproved of the riot, and universally declared they were ignorant of any of the proceedings, and gave it as their opinion that measures ought to be pursued for discovering and bringing to justice the perpetrators. A proclamation was soon after issued by the Governor, which was posted up in all the towns near where the offence was committed; but as yet the deponent has not received any information of any of the persons concerned in that offence, neither has he ever heard that information has been made to any of the civil authority within the colony, and further this deponent saith not.

DARIUS SESSIONS.

N. B.—The words, "nor intention thereof," on the fifth line of the 2d page; "and colony aforesaid," in the eighteenth line of the same page; "which after some refusal he consented to and they," in the 19th line of the 3d page; "relative to the destruction of the schooner," in the 20th line of the same page, were interlined before the above deposition was signed and sworn to.

Sworn to, at Newport, this 9th day of January, before us,

J. Wanton, *Fred. Smythe,*
Dan. Horsmander, *Peter Oliver,*
Robt. Auchmuty.

NEWPORT, January 11, 1773.

GENTLEMEN:—In obedience to his Majesty's commands, signified by Lord Dartmouth

to his Honor the Governor, dated Whitehall, September 14th, 1772, which was laid before the General Assembly, wherein his Lordship expressed his Majesty's dependence on the care and vigilance of the civil magistrates of the colony to take the proper measures for arresting and committing to custody, in order to their being brought to justice, such persons as shall, upon proper information before them or before his Majesty's commissioners, appear to have been concerned in the plundering and destroying his Majesty's schooner Gaspee and dangerously wounding and ill treating his Majesty's officer who commanded her, &c.

As a civil magistrate, and one of his Majesty's Justices of Assize in and throughout the colony, impressed with a regard for the dignity of the Crown, and the welfare of the colony, I now tender my assistance, whenever it shall be necessary; and when called upon by the commissioners, or otherwise, will exert every authority which the colony has invested me with, toward the apprehending any persons against whom information may be lodged, of being concerned in the destruction of his Majesty's schooner the Gaspee, or may appear to have been any ways aiding or assisting in that most daring insult offered against his Majesty's Crown and dignity within the colony on the 10th of June last.

I am, with the greatest respect, your most obedient humble servant.

METCALF BOWLER.

The Honorable his Majesty's Commissioners.

The examination on oath of Stephen Gulley, before the honorable commissioners this 12th day of January, A. D. 1773.

Q. asked.—What is your name and occupation?

Answer.—Stephen Gulley is my name, and a husbandman my occupation.

Q.—What age are you?

A.—Aged 11 years.

Q.—Where is your place of abode?

A.—At Smithfield, in the county of Providence, in the colony of Rhode Island.

Q.—Have you lately been on board any of his Majesty's ships? What ship? How long have you been on board?

A.—That he has been on board his Majesty's ship the Lizzard ever since Tuesday last, and that he went voluntarily on board for his own personal safety.

Q.—What reason had you to suppose you was unsafe?

A.—On Monday night, the fifth inst. I went into the public house at the ferry on Rhode Island side, where he set down and called for some drink, which they gave him; he then called for supper and had it; afterwards he rose from the table and sat down near the fire place, by the manner of the house, when a man unknown to him, came and sat down

by his side. I asked where he was bound; he said to Newport; the man told him he would not get there; he asked him for what reason he thought so; he replied, there were about twenty armed men in the road, one of them with two brass pistol; who, he said, were come to take him alive or dead, to carry him back to Providence; that he, said man, went out into the other room; the landlord then spoke to the deponent and told him he would give him a word of advice; he said there were about twenty armed men that said they would have him, the deponent, and that he did not know but they would tear his house down if he stayed there; he then called his children and, he believes, his wife, into the room, and gave them a strict charge to tell the men if they inquired after this deponent, that he was gone out with the landlord to talk together, and that this happened about eight o'clock in the evening; the landlord then told him he would show him a way where he might escape their hands, that they might know nothing where he was gone. The landlord then went with him about a quarter of a mile, he thinks from said house, in sight of a pond, and they then parted, the landlord first directing him the road to Newport.

Q.—What do you know relative to the attacking and burning the Gaspee schooner on said 10th of June last?

A.—As to my own knowledge I know nothing about it; but that some time about the last of December last he was told by Capt. William Thayer, of Mendon, in the province of Massachusetts, that Saul Ramsdale, late of Mendon, who was a shoemaker at work at Providence, at the time the Gaspee was burnt, told him and one of his sons he knew who the persons were who were concerned in that affair, and that he, the said Ramsdale, was in company with them before they went off from Providence, but did not go himself; upon which, this deponent went immediately to Ramsdale, who was then at Mendon; he found a young fellow with him, but upon this deponent telling Ramsdale that he wanted a private conversation with him, the young man went away; this deponent then asked him about the burning of said Gaspee schooner, and whether he had any knowledge of that matter; Ramsdale then asked him who told him that he, Ramsdale, knew anything of that matter; he told him he did not choose to say who gave him that intelligence; he, said deponent, then told him if he would give this deponent any intelligence about burning the Gaspee schooner he would be a good friend to him; Ramsdale then told him he did know something about the thing; that he knew the heads of the gang that went down the river with that intention; that he saw two men with guns under their arms, and one of them swore with a very high oath that he would be revenged upon the affair he was going upon

before he returned, and that he, the said Ramsdale, was picked for one of the gang to go with them, but being faint hearted and discouraged, he did not go; this deponent then asked him whether some of the Browns were not concerned. Ramsdale answered yes, but does not remember that he mentioned his Christian name; he, this deponent, then asked him how many in number there were, if there was two hundred; he said more; he then asked him if there was four hundred; he said not so many; he then asked him if there was three hundred; he said yes; he then asked him if there was any more; he said yes, something upwards; he then parted with said Ramsdale, and this deponent then went to Boston. This deponent further saith that he had been acquainted with said Ramsdale many years; that he told said Ramsdale that he would be sent for, and Ramsdale begged he would not discover him. **STEPHEN GULLEY.**

NEWPORT, 12 January, 1773.

Sworn to before us,

J. Wanton, Fred. Smythe,
Dan. Horsemander, Peter Oliver.
Robt. Auchmuty.

NEWPORT, ss

Colony of RHODE ISLAND, }
January 13th 1773. }

Joseph Borden, of Portsmouth, in the county of Newport, in the colony of Rhode Island, &c., landholder, of lawful age, appeared before the honorable commissioners for inquiring into the circumstances of burning the Gaspee, &c., and being sworn upon the Holy Evangelists of Almighty God, deposed and saith:—

That some time in the beginning of last week, a man came to his house in Portsmouth, who called himself Stephen Gulley; he appeared to be in liquor, and requested that he might have supper and lodgings, which the deponent told him he might have; before supper he went from the deponent's house in company with one Thomas Aylesbury, and as they had both been noisy and used very bad language, the deponent fastened the doors of his house, in order to keep them out; after some time this Stephen Gulley returned and knocked at the door, upon which he let him in, and told him his supper was ready in the back room; and while he was eating his supper Aylesbury returned, and said to Gulley, my friend, I believe you are upon some bad design, as I understood, by your talk, you are going to Newport to give information about burning the Gaspee; to which Gulley replied, that it was nobody's business but his own; then Aylesbury told him he would not get to Newport, as there were a number of Indians with brass pistols in the road, who would take care of him; but this deponent in fact saith that he did not know, neither has he any reason to believe, there were any Indians in the road

leading to Newport, and the deponent supposed that Aylesbury told this story to Gulley with no other design but to frighten him. After Aylesbury left the room Gulley asked the deponent what he should do; and as he recollected Aylesbury was in liquor, and did not know but there might be some disturbance between him and Gulley, he, the deponent, told Gulley there was a lower road that he might go in, by which he might avoid that which Aylesbury had told him the Indians were in, and if he would pay his reckoning he would go and direct him to that road; on which he asked the deponent if he would not take a weapon with him; whereupon he replied that he should not take a weapon with him, as he did not believe any body would hurt him, the deponent, or the said Gulley, and then immediately proceeded to show him the road, by going with him as far as his barn, which is about twenty rods from the deponent's house, and showed him a pond near to which was a road, and directed him to take that road and steer southward till he came into the main road, which he would soon do. The deponent then left Gulley, and returned to his dwelling house, where he saw nobody but his own family, either in the house or about it, and every thing remained quiet. And this deponent further saith, that while he was in the kitchen, soon after Gulley came to his house, and before Aylesbury had told Gulley he believed he was upon some bad design, he heard a person reading the King's proclamation for discovering the persons who burnt the Gaspee schooner, upon which Gulley said it was a fine reward, and he intended to have it; and the deponent believes that Aylesbury was then in the room, and further this deponent saith not.

JOSEPH BORDEN.

Sworn to at Newport the day and year before written, before us,

J. Wanton, Fred. Smythe,
Dan. Horsemander, Peter Oliver.
Robert Auchmuty,

—
The examination of Aaron, a mulatto, upon oath, taken this 14th day of January, A. D. 1773.

Aaron Briggs, aged eighteen years or thereabout, declares, that at the age of five years he was bound by the town of Portsmouth, an apprentice to Capt. Samuel Tompkins, of Prudence island, until he should arrive at the age of twenty-four years; from which time, until he went on board the man-of-war, he was constantly in the service of the said Capt. Tompkins, as a laborer on his farm; that his master kept a two mast boat to transport his farm produce to market, which was the only sail boat within five miles of his master's farm at the time the Gaspee was burnt; that *Remington*, who lived about one mile from where the deponent lived, had a row boat

large enough for six hands to row; also one Ephraim Peirce, at about a mile and a half distance had a two mast boat and that the

his master's boat some time before the night on which the Gaspee was burnt, and she leaked in such a manner that she could not sail; that a little after sunset, on the night on which the Gaspee was burnt, he left the island of Providence, but does not know the day of the week, or the day of the month; that he went off the island in a little fishing boat of two oars, which boat lay just before the house; that before sunrise, and about an hour after daybreak, he returned to his master's house from the shore where they landed the people belonging to the Gaspee, which shore was about a mile above said Gaspee, and the Gaspee about six miles from his master's house, and that it was about four or five miles from his master's to the place where they landed the Gaspee people; that he found the oars in the boat that he went off said island in; that the reason he went off the island, was to carry the boat round to the east side of said island, to carry a man named Samuel Faulkner, a hired man, to Bristol the next night, and that this young man told the deponent that he would ask his master's leave for that purpose; that going round said island, at about half a mile from said shore of said island, he met a boat and one Potter, whose Christian name he does not know, and whom he, in company with Faulkner above-named, had once seen on a wharf at Bristol, and there heard him called by the name of Potter; and further says, that said Faulkner told him that that was the person who owned the ropewalk at Bristol which they had been in; that when he met said Potter, as above-mentioned, he was in a boat which was rowing with eight oars; that the time he met the said Potter was about half an hour after he, this deponent, left the island, and he, said Potter, was about five miles from Bristol; that there were eleven men in said boat, said Potter was in the stern sheets; that the weather was cloudy; that when Potter hailed him they were about fifteen rods distant; the first words Potter spoke was by asking who was in that boat; the deponent answered, he was in there; Potter told him to come that way, he wanted to speak to him; upon which he went to him, and Potter told him he wanted this deponent to go up with him about a mile, that he would be back in an hour; this deponent said he could not, he was in a hurry to go home; to which Potter replied, he must go with him; the deponent answered, he could not, he must go home, or his master would punish him, and this deponent then began to row away; Potter told him he wanted this deponent to go with him to fetch something down which this deponent had forgot, and that he would pay him for so doing; this deponent said he had rather go home, for if his master should miss him he would say he

was out all night, and flog him; upon which Potter said, there is no can't in the matter, you must go along with me, we shall be back

painter, you need not row, we will carry you up there; upon which this deponent gave them the painter; that he, this deponent, being in his own boat, was rowed up by Potter's boat till they came within half a mile of the schooner; Potter then said to this deponent, get into my boat; that he got in to the boat, Potter then told him they were going to burn the man-of-war schooner, and that he, this deponent, must go with him; to which he replied, that it was hard for him to be brought there, where he might lose his life; Potter then said they were all upon their lives; this deponent still repeated, it was hard for him to go; but Potter said he must go now he was there; that they would give him a weapon, and he must do as they did, knock them down, and not let them kill him if he could help it, and gave him a handspike; the rest were armed some with cutlasses, some with muskets; thus happened at about ten o'clock at night; Potter further told this deponent that they expected 16 or 17 more boats from Providence; in about an hour afterwards they met eight boats about half a mile from the schooner, which appeared to be pretty full of people; upon their meeting, Potter and two men, called Browns by the people, whom this deponent did not know, talked about how they should board the schooner; one of these persons called Brown, got into Potter's boat, on which they were hailed from the Gaspee and told to stand off; upon which, Brown said row up; immediately after, he, this deponent, saw the captain of the schooner come upon deck in his breeches, and fired a pistol into one of the boats and wounded one of the men in the thigh; that he saw a man who was in the boat with Potter, and who was called Brown, fire a musket, which wounded the captain; after which there was no more firing, but they instantly boarded the schooner; that the captain of the schooner, when he was wounded, he thinks, stood by the foreshrouds upon the left hand side; when they got on board there were about four of the schooner's men on deck, and the rest were coming up out of the hold, and somebody said knock 'em down and kill them, no matter what you do with them; that this deponent did not know the Browns, nor hear them called by their Christian names, and further declares that it was John Brown who shot the captain, and that he hath never seen either of the Browns since; that after they got possession of the vessel, they took the hands belonging to the schooner and threw them down the hold, and this happened about 3 o'clock in the morning; then the people searched the vessel, took the captain's papers, which he desired they would give him; but they refused, tore them and threw them overboard, then they took the

Gaspee's people, tied their hands, and put them into the boat and carried them ashore, this deponent going with them; by the time they got half way ashore, the schooner was on fire; that before they went ashore, a doctor, whom they called Weeks, from one of the boats, dressed the Captain's wounds; that when they had landed the people, they untied their hands and let them go, and the captain of the schooner they carried up to a house; after they had landed the men they put off to return, and Potter told them he would give him two dollars for what he had done, which he accordingly did; upon which this deponent set off in his own boat and rowed home; that it was about 1 o'clock when they had landed the schooner's people; that it was a moonlight night but sometimes cloudy; that soon after the people had boarded the schooner, they hoisted the top sails, her head laying up towards Providence, and he saw nothing further done to her or her sails; that the schooner when they boarded her was aground; that the person who acted as surgeon, he thinks he has seen at his master's house, but is not sure it was the same person. This deponent further says, that the person to whom he first gave an account of the above affair of burning the Gaspee, was Capt. Lindsey, of the Beaver; some time after the burning of the schooner he went on board the Beaver in his master's said boat; that immediately upon his going on board they put him in irons, because they imagined he intended to run away from his master; it was about ten o'clock at night when the deponent was put in irons, and was released about ten o'clock the next day, and then they were going to flog him; after he was tied up to the mast, one of the Gaspee's men, called Paddy Alis, jumped up and told the captain that he thought that he, this deponent, was one that was aboard the schooner Gaspee. At this time the deponent had said nothing about the burning of the schooner, nor had made no discovery relating to what he knew; the captain asked the man if he was sure of it; he said yes; the captain asked what clothes he had on; the man said two frocks; then the captain told the man to examine what clothes he had, which they found were two frocks; there was no mention made of any other clothes. The next day Paddy Alis and the deponent were called up before the captain, who asked the Paddy if he was sure that this deponent was one concerned in the attack of the schooner; he said yes; he further asked him if he could swear to it; he answered yes; that the captain then administered an oath to the said Paddy upon the Bible, who swore that this deponent was there; the captain then said to this deponent, my lad, you see this man has declared you was there, and if you don't tell who was there with you, I will hang you at the yard arm immediately, and if you do, you shall not be hurt; upon which this de-

ponent told the captain all the heads that was there, the captain saying he did not want to know any thing about the poor people, but only the heads. This deponent further says, that he never spoke to any of the Beaver's crew till he got on board; that his master's boat, in which this deponent went on board the ship, his master went on board and received again; that this deponent went on board said man-of-war with an intention not to return again to his master; that he, this deponent, never was christened, and that he should have told Capt. Lindsey all he knew relating to the Gaspee immediately upon his going on board if they had not put him in irons. The deponent further says, that the morning after the burning of the schooner, when he returned to his master's, he went to bed with two black servants, with whom he usually slept; he lay there a little while, and upon his master's knocking, he got up and went to fetch the cows; that when he first returned to his master's house, he got in at a lower window on the southwest part of the house, which opens into the middle room; that during the whole transaction on said night the schooner was burnt, no man called this deponent by his name or knew him.

his
AARON BRIGGS.
mark.

Sworn to this 14th day of January, A. D. 1773, at the Council Chamber in Newport before us,

J. Wanton.

Fred. Smythe.

Don. Horsmander,

Peter Oliver.

Robert Auchmuty,

I, Rufus Greene, Jr., of East Greenwich, in the colony of Rhode Island, mariner, depose and say; that some time in February last, I was on board of and commanded the sloop Fortune, lying at anchor in the Narragansett Bay, off North Kingstown, having a quantity of rum on board, belonging to Nathaniel Greene & Co., when one Dundass, an officer of the schooner Gaspee, under the command of Lieutenant Duddingston, came on board and asked this deponent if he would take any freight on board; to which this deponent answered no; he then ordered this deponent to unlatch the hatches; and this deponent telling the said Dundass that said hatches were unlatched, he then ordered him into the cabin; and being demanded by what authority he thus did, replied, "If you do not go into the cabin I'll let you know," drawing his sword; he then caught this deponent by the collar, and pushed him into the cabin; this deponent then came out of said cabin, and went forward to prevent the anchor's being weighed; he then clenched upon this deponent again, thrust him into the cabin, jammed the companion leaf upon his head, knocked him down upon a chest in said cabin, and confined him there for a considerable time; after this deponent entreating the said

Dundass to let him free, he did so, and made a seizure of the said vessel and cargo, (as he said,) and put the letter "R" upon her hatches; then towed sail sloop to said schooner (it being calm) with three boats. This deponent being commanded aboard the schooner aforesaid, obeyed; went before said Lieutenant Duddingston, and after some conversation, was ordered from his presence and confined in the gangway; this deponent asked said Duddingston if he had a commission to seize, &c., to which said Duddingston answered that he had a good commission from his Majesty, but showed none. The next day this deponent was put on board another vessel, and further saith not.

RUFUS GREENE, Jr.

KENT, ss.

EAST GREENWICH, Jan. 14th, 1773.

Personally appeared the above deponent, Rufus Greene, Jr., and being cautioned to speak the truth made solemn oath upon the Evangelists of Almighty God, that the before going narrative is true in all its parts.

Coram, HOPKINS COOKE,

Justice Peace.

I do hereby certify that the above deponent is of a respectable family, sober life, and ought to be credited.

H. COOKE, Justice Peace.

The examination of Patrick Earls, taken on oath this 16th of January, 1773.

Patrick Earls, of full age, a mariner, on board his Majesty's ship the Lizzard, commanded by Capt. Inglis, being duly sworn, deposed and saith; that he was a sailor on board the Gaspee schooner; on the 10th of June last, when she was run aground on a spit of land, that between one and two o'clock, the captain called all hands on deck, and this deponent coming up with the rest of the sent men, when he saw a number of armed men with two or three muskets and clubs; that he saw those persons break open the arm-chest and furnish themselves with cutlasses; soon after this, this deponent was knocked down with a club, and pitched into the hold, and in about a quarter of an hour, was called upon deck, where his arms were tied behind him, and shoved into a boat, which, with about six others, was lying alongside the schooner; that as soon as the deck was cleared of all the officers and sailors belonging to the Gaspee and put into the boats, they were rowed to a small village toward Providence, about three mile distant from the schooner, where they were landed. This deponent further saith, that Lieutenant Duddingston was placed in the stern of the same boat in which he, the deponent, came on shore, and that he, in their passage to the shore, contrived to unloose his arms, and took an oar from a negro man, at the bow of the boat, whom he verily believes to be the negro Aaron, now on board the Lizzard, and helped him to row the boat; and that, to the

best of his belief, it was about three or four o'clock in the morning, when he, with the captain and the others, were landed. This deponent also saith, that he well remembers, that while the persons were attacking the sailors on board the schooner, he heard the name of Potter mentioned; that one of the people said, "Potter, it is the best way to set the men on shore, for that it was not their fault, but the officers;" to which a person, then standing on the quarter deck, to whom the above expression was directed, who was a tall slim man, with a long sharp nose, in light colored long clothes, his hair tied behind, who looked more like a shoreman than a seaman, answered, "Let it be so." He also saith, that after he was landed, he saw the boats return towards the schooner, and in about half an hour after he saw the schooner on fire, and the guns blowing off; that it was cloudy and calm weather. And this deponent further saith, that on the morning after the negro Aaron came on board the Beaver, at 8 o'clock, he saw him in irons in the galley, and immediately recollected him as the same person whom he assisted to row the boat as above mentioned, but did not speak to him, but directly told one John Johnson, the boatswain of the schooner, that he well knew the negro was one of the persons who rowed the boat on shore with him; that on the next day, Capt. Lindsey, commander of the Beaver, gave directions to his boatswain to get some spun yarn to tie up the negro, and give him two or three dozen, to find out what he came on board for, or if he knew any thing concerning the burning the schooner; that he was stripped in order to be punished, upon which the boatswain of the Gaspee then called out, "one of the men knew him to be one of the persons who rowed the captain on shore, and was concerned in burning the schooner;" upon which the captain asked which of the men knew him; that he called out to this deponent, and asked him if he knew any thing of the negro, and cautioned him to be careful in his answers; that the negro was then ordered in irons again, and the deponent called into the cabin and ordered by the captain to describe the negro's dress when on board the boat, which he did, to wit: A spotted or checked handkerchief round his head, a frock, a pair of long trowsers, no shoes, and his hair tied behind not longer than an inch, or an inch and a half. Soon after, the captain sent for a Justice from the town, which Justice swore him, and he confirmed the above account he had given under oath relative to the negro. The deponent first saw the schooner on fire about breakfast time, which was about six o'clock, when he was ashore, and heard the guns of the schooner blow off, but did not see her from the time he first left her till he saw her on fire. He set along side of the negro in the boat from the time the boat put off from the schooner until she struck the shore where

he landed, and that while rowing ashore he was cold, and asked the negro to let him row to warm himself, which he did; and as they sat together, asked him, the negro, for a chew of tobacco, which he gave him. And this deponent further saith that he never saw the said negro before he saw him in the boat.

his
PATRICK + EARLS.
mark.

Sworn to at Newport on the 16th day of January, A. D. 1773, before

*J. Wanton, Fred. Smythe,
Dan. Horsemander, Peter Oliver,
Robert Auchmuty,*

PROVIDENCE, Jan. 19, 1773.

HONORABLE SIR:—I received a citation, signed by you and a number of other gentlemen, commanding my attendance at the Colony House in Newport, on the twentieth day of January instant, to give in evidence to what I know relative to the attacking, taking and plundering his Majesty's schooner called the Gaspee, &c.; in consequence of which I now inform you, that I am a man of seventy-four years of age, and very infirm, and at the time said schooner was taken and plundered, I was in my bed, and I knew nothing of it until next day; and as for my not attending as commanded, I must plead my age and infirmity in excuse.

From your most obedient friend and humble servant,
ARTHUR FENNER.

To the Honorable JOSEPH WANTON, Esq.

PROVIDENCE, January 19th, 1773.

To the Honorable the Commissioners appointed to enquire into the circumstances relative to the destroying the schooner Gaspee:

GENTLEMEN:—I now address you on account of a summons I received from you, requiring my attendance at the Council Chamber in Newport, on Wednesday, 20th inst. Now, gentlemen, I beg leave to acquaint you what renders me incapable of attending. In the first place I am an insolvent debtor; and therefore my person would be subject to an arrest by some one or other of my creditors; and my health has been on decline these two months past, and it would be dangerous should I leave my house; and further, were I to attend, I could give no information relative to the assembling, arming, training and leading on the people concerned in destroying the schooner Gaspee. On the 9th day of June last at night I was employed at my house attending company, which were John Andrew, Esq., Judge of the court of Admiralty, John Cole, Esq., Mr. Hitchcock, and George Brown, who supped at my house and stayed there until two of the clock in the morning following; and I have not any knowledge relative to the matter on which I

am summoned; which I am ready to make oath to before any Justice of the Peace.

I am, gentlemen, most respectfully, your most humble servant,
JAMES SABIN.

—
EAST GREENWICH, Jan. 19th, 20th, 1773.

May it please your Honors:—Late last night I received a summons from Providence, to appear at the Council Chamber in Newport before your honors, there to give evidence of what I knew concerning the burning of the schooner Gaspee, and I should have waited on your honors accordingly, but as the Court of Common Pleas was then sitting in the county of Kent, and being concerned in several cases then pending in said court, could not possibly attend according to summons, therefore hope you will excuse my not attending. It has long been a custom for the attorneys, upon the concluding evening of filing pleas to the court, to meet together to spend the evening; that night the said schooner was burnt happened to be the concluding evening of filing pleas; accordingly, the Gent. of the bar, together with myself, met at the house of James Sabin, in Providence, that being a public house of entertainment. Some time after, I being there, heard a drum beat; I asked the reason of said drum beating; was answered by some one of the company, that there was a number of boys met together, they supposed, to divert themselves. I knowing it to be no uncommon thing, thought no more about it; and do solemnly declare that I have no knowledge, directly or indirectly, of any plot being laid, or any person concerned in perpetrating so vile a crime, and shall be ready at all times, when in my power, to appear and answer any question relating to said affair, if required.

I am gentlemen, your honors most obedient and humble servant,
G. BROWN.

—
EAST GREENWICH, Jan. 20th, 1773.

May it please your Honors:—Late last evening I received by the way of Providence, a citation to appear before your honors, at 11 o'clock this forenoon, to give evidence of what I know relative to the burning and destroying the schooner Gaspee. As the Court of Common Pleas is now sitting here, and a number of clients depending upon my assistance in their several cases, I hope your honors will dispense with my attendance at the Council Chamber at the time appointed. I am disposed to give your honors all the information that has come to my knowledge concerning the affair, which is extremely small. The evening preceeding the burning of the Gaspee I spent at Mr. James Sabins' Tavern, in company with several gentlemen; about 7 or 8 o'clock, hearing a noise in the street, I pulled back the shutters of one of the windows next the street, and saw several people collected together, but did not know any of them; upon which, I made inquiry of the gentlemen in the room

if they knew the occasion, and was answered by some of the company, but by whom I cannot particularly recollect, that he hoped they were not designed for mischief; to which I replied, I believed not, if they were they would not be so public. Some time afterward, a drum was beating along street; upon which, I again opened the shutter, and saw three or four boys with a drum, and no other persons. And this, may it please your honors, is all I know relative to this affair, and which I am ready to make oath to before any of the civil authority in Providence, to which place I shall return to-morrow or next day.

I am, with all deference, your Honors most obedient and most humble servant,

JOHN COLE.

—
EAST GREENWICH, Jan. 20, 1773.

May it please your Honors:—Late last night I had a citation from Providence to appear before you this day at 11 o'clock in the forenoon, to give evidence with regard to the burning the schooner Gaspee; and as I detest all such open violations of the law, should have been willing to have waited upon your honors to let you know every thing within the compass of my knowledge relative to that matter, had not my engagements at Kent Court, in this place, absolutely forbid my attendance; and therefore hope your honors will pardon me on that account; but every thing I know touching that matter I am ready to relate. It has been, may it please your honors, a long custom in this Colony, for the attorneys the concluding of filing of pleas for court, to meet some where together and spend the evening; that night the schooner was burnt happened to be the concluding evening. We met at Mr. Sabins', by ourselves, and about 8 o'clock I went to the door, or, finally, kitchen, and saw a number of people in the street, but paid no attention to them, as that place was a place of public resort. Some time after 9 o'clock I heard a drum beat, and was asked by some body in the room, what was the occasion of the beating of that drum; and it was answered by somebody, that it was beat by some boys, which quieted all further inquiry by me; neither did I imagine that any thing of that nature was about being perpetrated, till after it was in fact done. Thus, may it please your honors, is every thing that I know, or have come to my knowledge, relative to that transaction, and which I am willing, on solemn oath, to state before any of the civil authority in Providence, to which place I shall in a day or two return.

I am your Honors most obedient humble servant,
D. HITCHCOCK.

—
PROVIDENCE, Jan. 20, 1773.

GENTLEMEN:—I this day received a summons at 12 o'clock, requesting my attendance at 11 o'clock this day, at the Court House in

Newport, in order to give evidence before your honors to that knowledge I have relating to the burning and destroying his Majesty's schooner called the Gaspee, and to the assembling, arming, training and leading the people concerned therein. I should have cheerfully obeyed said summons had my health permitted, but I have been confined for a week past with a swelling in my hand, which hath rendered me unable to stir out of doors; but as soon as I am able, I shall wait upon your honors, and inform you all I know relating to that matter, which your honors will judge just nothing at all to the purpose.

I am, with great regard, your Honors most obedient and most humble servant.

JOHN ANDREWS.

P. S.—I have judged proper to inform your honors of all particulars of knowledge I have relating to the burning his Majesty's schooner called the Gaspee, in the Narragansett River. I was in Providence town the evening before the mischief was done, and in company with a number of gentlemen, I heard a disturbance in the street, and inquired into the cause, and was answered, that it had been a training day and they were breaking up their frolic, and I heard nothing further that evening relative thereto, but went to bed, and next morning was surprised with the news of the said schooner's being burned and destroyed. I then waited upon the Deputy Governor immediately, and he, with me, repaired to the spot, where we found Mr. Duddingston badly wounded, and the said schooner appeared at a distance to be on fire, and burned down to the water; and the Deputy Governor inquired of Mr. Duddingston if he had any knowledge of any of the trespassers, and he made answer that he should give no account about the matter before he was brought before the court martial, where he expected his trial, but was willing that his people should declare all they knew of the matter, and were sworn before the Deputy Governor accordingly. I —

— Mr. Duddingston afterwards, and desired him, if he had any knowledge of any of the persons who did the mischief, he would inform me thereof, that they might be brought to condign punishment, but always declined saying any thing at all; and that is the substance of the knowledge I have of the matter, and which I am ready to swear to.

JOHN ANDREWS.

To the Honorable Commissioners.

—
Joseph Wanton, Esq., Governor of the English Colony of Rhode Island, on oath declares and says: That at an interview he had with Lieutenant Duddingston, late of the schooner Gaspee, he asked him whether he had any authority from the commissioners at Boston, or from Admiral Montagu; to which he replied, he had not, but received his authority from the Lords of the Admiralty.

and that he was come into the Colony of Rhode Island by virtue of that power, and no other whatever. The deponent then asked how long it was probable he should continue in the colony? to which he answered, at present he was in the colony, but how long he should continue was uncertain. And this deponent saith, that he does not remember that he hath since that time seen the said Lieutenant Duddingston.

On or about the 20th of March last, a complaint was transmitted to the deponent, by the deputy governor of the colony, signed by sundry persons residing in and near the town of Providence, that an armed schooner was cruising in the Narragansett Bay, interrupting their legal commerce, by searching and unnecessarily detaining the freight boats, &c., and therefore requested the deponent to make such inquiry as was necessary for obtaining information, whether the persons belonging to said schooner were duly authorized to exercise that power within the body of the colony. Upon receiving the complaint, the deponent conceived it was his duty, in order to satisfy the complainants, and at the same time to give the persons complained of an opportunity of exculpating themselves from the several charges and accusations which were exhibited against them, to pursue such measures as were prudent and legal, and thereupon wrote a letter to the commanding officer of said schooner, advising him of the information the deponent had received respecting his conduct and proceedings since his arrival within this colony, and requesting that he would produce his commission and authority. This letter was answered by Lieutenant Duddingston, which, not being satisfactory, the deponent wrote him another letter, on the 23d of March; in consequence whereof, Lieutenant Duddingston sent the deponent, by one of his officers, whose name was Dundass, an order from the Lords of the Admiralty for his commanding the schooner Gaspee, also their letter to the commissioners at Boston, requiring them to give a deputation from the commissioners at Boston, directed to the said Dundass, all which the deponent, after he had read and examined, returned to the said Dundass, who had the charge of them, without the least delay or interruption whatever. The deponent took this opportunity to remonstrate to the officer against the impropriety of Mr. Duddingston's proceedings, in sending a quantity of rum he had seized in the county of Kent, within this colony, for illegal importation, to Boston for trial, it being, in the deponent's opinion, repugnant to an act of Parliament made and passed in the eighth year of his Majesty's reign, as there was a Court of Vice Admiralty established within this colony; and that if he persevered in such measures, he must expect that a process would be issued against him. A short time after this another complaint was brought

against Mr. Duddingston, by one Faulkner, of Portsmouth, in this colony, and proprietor of a certain island called Gould Island, within the said colony, who alleged that the people belonging to said schooner Gaspee had been upon said island, and committed a trespass and waste thereon, by cutting down thirty or more trees and carrying the same from off said island. The deponent recommended to the complainant to make application to said Duddingston, and demand such satisfaction as was adequate to the damage he had sustained, and if possible to avoid a lawsuit, which, he said, he had been urged to commence; after which, he was informed by said Faulkner, that Lieutenant Duddingston had paid him about fifteen dollars on account of the above named trespass and waste, with which he appeared satisfied.

On the 11th of June, the deponent received from Darius Sessions, Esq., of Providence, and deputy governor of the colony, an account of the destruction of his Majesty's schooner the Gaspee; upon which, he immediately called together such of his Majesty's council and members of the General Assembly as could be seasonably notified, and communicated to them the disagreeable intelligence, who unanimously recommended a proclamation, with a proper reward, for discovering the offenders, which was thereupon issued, and sent into the several towns within the colony.

Admiral Montagu, on the 8th of July, transmitted to the deponent the declaration of a mulatto lad, called Aaron, impeaching several persons therein named with being concerned in burning the aforesaid schooner. As this declaration was not made before any of the civil authority, either in this or any other colony, the deponent was of opinion that it was highly necessary that Aaron should be taken into custody, and therefore directed one of the Judges of the Superior Court to issue his warrant for Aaron, that he might be legally examined; and as he was then in the care of Capt. Lindsey, wrote him a letter dated the 16th of July, (which letter accompanied the warrant,) requesting that he would deliver the said Aaron to the sheriff, that he might be examined respecting what he knew of attacking and burning the Gaspee; but Capt. Lindsey refused to deliver up the witness, and treated the letter and warrant with the highest contempt, as the deponent was informed by James Brenton, Esq., who waited upon Capt. Lindsey with the letter at the deponent's request. If Aaron had any knowledge of burning the said schooner it was out of the power of the deponent to obtain it, through the unjustifiable conduct of the said Capt. Lindsey.

The deponent communicated to Admiral Montagu, in a letter dated the 23d of July, the steps he had taken for obtaining Aaron's declaration in full expectation that he would have given positive orders for the delivery

of Aaron into the custody of the civil authority, especially as the deponent had assured Capt. Lindsey that after his examination he should be returned on board the King's ship.

The deponent cited Mr. Samuel Thompson and Mr. Samuel Tompkins, of the island of Prudence, the gentlemen with whom Aaron had lived as an indentured servant, to give evidence of what they knew of the destruction of the Gaspee, &c., and also two servants, who lived in the same house with Aaron at the time the said schooner was burnt, who agreed in their several testimonies, that Aaron was a runaway, and could not, for the reasons given in their depositions, have any knowledge of that transaction; copies of which testimonies the deponent transmitted to Admiral Montagu.

This deponent further declares, that the several letters and papers he has delivered to the commissioners, contain a full and particular account of all the knowledge he hath of the destruction of the said schooner Gaspee, and the measures which have been pursued for discovering the offenders.

J. WANTON.

Sworn to at Newport on the 25th day of January, 1773, before

FRED. SMYTHIE,
PETER OLIVER,
ROBT. AUCHMUTY.

The examination of Peter May, taken upon oath this 19th day of January, A. D. 1773:

Peter May, of lawful age, being duly sworn, deposeth and saith, that he was late a mariner on board his Majesty's schooner Gaspee, and that some time last summer, as they were going in said schooner towards Providence, about 2 or 3 o'clock in the afternoon, they struck aground upon a point of land about a musket shot from the land; that she lay so dry, that they walked round her and scraped her bottom, the water being about one foot on one side, and about two feet on the other; that they got an anchor out, and endeavored to get her off, but after striving till sunset they desisted from any further attempts; all but the watch, which consisted of three, were ordered by Lieutenant Duddingston to go to sleep; that between 12 and 1 o'clock the schooner was attacked by a number of boats with people on board, armed some with clubs, some with other weapons; that this deponent was below at the time the people boarded the schooner, and when he came upon deck he saw Lieutenant Duddingston discharge a pistol, but whether it wounded any body he cannot tell; immediately after, he saw a man in the bow of one of the boats fire a musket and wound the Lieutenant, upon which, the Lieutenant cried out, "Lord have mercy upon me, I am done for;" that immediately after this, the deponent was knocked down the hatchway, and recovering himself, went into the steerage

in order to get some clothes, and from thence stepped into the cabin, and there heard the Lieutenant desire the people not to haul and pull him about as they did, but to assist him; on which they said they had no doctors, but would send him as soon as they could to a place where they could get one; he soon after, when the Lieutenant was on deck, heard several people ask him whether he would make amends for the rum which he had seized out of the sloop, and if he would, they would return him the schooner; one of which people was named Greene, whom he saw in the cabin of the Gaspee the day after they had seized a sloop, of which he appeared to be the owner and out of which he took some rakes; this deponent saith that the said Greene is a tall, slender man, wearing his own hair of a brown color. This deponent further saith, that after they had taken possession of the Gaspee, the hands belonging to the Gaspee were put into a boat and rowed ashore at a place about a mile distant, between 3 and 4 o'clock in the morning, and that he saw the schooner on fire when they were about half way to the shore, and the fire began upon the quarter deck; and further this deponent saith not.

his
PETER + MAY.
mark.

Sworn to this 19th day of January, A. D. 1773, at the Council Chamber in Newport, before,

J. Wanton, Fred. Smythie,
Dav. Horsmander, Peter Oliver.
Robt. Auchmuty,

While the commissioners were in session, other officers of the colony were, by force of circumstances, impelled to take certain evidence, and hold certain correspondence, which, as the papers containing them were before the commissioners, are here inserted:

PROVIDENCE, January 15th, 1773.

{ SIR:—This forenoon came to my house Capt. William Thayer, of Mendon, and informed me that he had been cited by the honorable commissioners at Newport, to appear before them this day and declare what he knew relative to the destruction of the Gaspee. He tells me he is near seventy years of age, grievously afflicted with the rheumatism, attended with many symptoms of a paralysis, and that riding yesterday in the cold, stormy weather, has revived and so much increased his disorder, that he was unable to proceed to Newport, but must endeavor to return home as soon as possible: Besides, he declared he knew nothing of the affair for which he was summoned, and solicited me very much to take his examination and transmit it to the commissioners. I at last yielded to his request, and have enclosed to your honors his deposition, which,

if you think proper, may be laid before the commissioners. I have known Mr. Thayer for many years past, and have always understood that he was a man of good character. He says, if the gentlemen who cited him had any idea of the villany of the fellows who informed them, neither he nor any one else, he believes, had been troubled by them.

And this evening, another person (one Ramsdale) came to me, who said he also was summoned to Newport upon some occasion, and that he knew nothing respecting the matter for which he was cited, and urged me very much to take his deposition to that purpose, that he might be dismissed; but as he appeared to be a young, healthy man, and lest the commissioners might conceive I was too officious in previously examining their witnesses, I advised him to deliver what he had to say to the commissioners.

I am, sir, with the greatest respect, your honors most obedient and humble servant,

DARIUS SESSIONS.

Governor WANTON.

P. S.—Since I wrote the above, I received a deposition from Greenwich, which I have also enclosed to your honors.

Colony of RHODE ISLAND, &c.

The examination of Capt. William Thayer, of Mendon, in the county of Worcester, in the province of Massachusetts Bay, Innholder, taken in Providence, in the colony aforesaid, this 15th day of January, in the thirteenth year of his Majesty's reign. Anno Domini 1773, by Darius Sessions, Deputy Governor of said colony.

Question.—Do you know any circumstances relative to the attacking, taking, plundering and burning his Majesty's schooner called the Gaspee, and to the assembling, arming, training, and leading on the people concerned therein, and to the concerting and preparing said attack?

Answer.—No.

Q.—Where was you when said schooner was destroyed, which was on the 10th day of June last?

A.—At home, in Mendon.

Q.—How far is that from Providence?

A.—About twenty-two miles.

Q.—How long a time after the schooner was destroyed before you was in Providence?

A.—I was not there until the latter end of June, or the beginning of July.

Q.—Did you hear any person say, when you was in Providence, or at any other time or place, that they knew any of those persons that were concerned in that affair?

A.—No.

Q.—Did you ever hear the names of any persons suspected to be concerned in that matter?

A.—I heard the names of one Potter and Brown, or Browns, but did not know them, nor where they lived. I don't recollect any other.

Q.—Do you remember who mentioned those names?

A.—No; it being only some rumor which I heard among people in my house, it being a public one. WILLIAM THAYER.

On the day and year above said, William Thayer, the subscriber to the above examination, made solemn oath to the truth of the several answers annexed to the foregoing interrogations, before

DARIUS SESSIONS

Deputy Governor.

I, Daniel Vaughan, of Newport, in the colony of Rhode Island, being of lawful age, do depose and say: That sometime in the summer last past, being in a sloop taking out some old iron from the wreck of the Gaspee, and afterwards going down to Newport in said sloop in company with Capt. Lindsey, in his Majesty's ship the Beaver, one morning, not far from the island of Prudence, I saw a small boat alongside the Beaver, and immediately told the people on board the sloop, that somebody had gone on board the Beaver that night; A few days afterwards, as the Beaver lay at Newport, near the fort, I was ordered to haul the sloop I was in alongside a schooner, which then lay alongside the Beaver, in order to take out some sugar; and going on board the Beaver, I saw a mulatto fellow under the fore-castle in irons. I said unto him, "so you are one of the rogues that have been burning the Gaspee;" he replied, "he never saw her, nor knew anything about her;" I then asked him what he came there for; he answered, "his master had used him badly, and he was determined to leave him." Two or three days afterwards, being on board said schooner, I heard Capt. Lindsey order said mulatto to be carried out of the Beaver on board said schooner, and thence to be tied up to the mast and whipped; and after he was laid hold on, and they were about to tie him up to the mast, he began to declare he knew some of the people that burnt the Gaspee, and that Simeon Potter, John Brown and others, (whose names I have forgot), were concerned therein. Upon this confession, he was released from a whipping, sent on board the Beaver, where I afterwards saw him in irons on the quarter deck.

DANIEL VAUGHAN.

PROVIDENCE, &c.

PROVIDENCE, Jan. 16th, 1773.

Daniel Vaughan appeared in person and made solemn oath to the truth of the foregoing declaration, unto which he has subscribed, before

DARIUS SESSIONS.

Deputy Governor.

PROVIDENCE, Jan. 18, 1773.

SIR:—In consequence of an application made unto me in writing, signed by Barzillai Richmond, Joseph Brown and John Brown, I summoned Daniel Vaughan and took his deposition relative to what he knew respect-

ing the treatment of the mulatto Aaron on board the Beaver, and I herewith inclose it to your honor. I had not done it but our river is fast shut up, and it is very uncertain when Mr. Vaughan will reach Newport. I choose Mr. Vaughan should give his deposition before the commissioners, if he arrives in season for that purpose; but if he doth not, and you think proper to make use of what I now send, you have liberty to improve it in any way you think it may promote truth and justice.

I am, sir, your humble servant,

DARIUS SESSIONS.

Gov. WANTON.

—
PROVIDENCE, Jan. 18th, 1773.

SIR:—Having been informed by a person who came from Newport last Saturday, that the mulatto had been examined, and that a report prevailed that his evidence carried many marks of truth with it, and as it is impossible (as I think) that there can be a word of truth in it, and as I look upon it my duty to protect the innocent, as well as punish the guilty, I thought it my duty to let your honor know of some circumstances that may throw some light on this affair. I took notice in the mulatto's declaration of his having a red and white handkerchief about his head at the time he was on board the Gaspee, and when he rowed the boat ashore. I suppose he was told to relate this circumstance, that some of the Gaspee's people might, with the greater appearance of truth, swear to his being on board the schooner that night. The day after the Gaspee was destroyed, I examined several of her people, viz: Bartholomew Cheever, John Johnson, Wm. Cople, Joseph Bowman, Patrick Wheeler, Patrick Earls and Patrick Reynolds, who, although the questions and answers were not set down in writing, yet I am dependent that they were put verbal. The answer given by some of them (the rest agreeing thereto) are as follows, viz:

Question.—Was the moon down?

Answer.—Yes.

Q.—Was it dark?

A.—Yes.

Q.—Was there any light on board of the schooner when she was boarded by the boats?

A.—Yes; but it was immediately put out before we got on deck.

Q.—Was there no other light afterwards struck up?

A.—Not that they saw, though they believe there was one lighted up in the cabin to dress the Lieutenant's wounds.

Q.—Were the people who came on board unmasked, or in disguise?

A.—Some of them were either blacked or negroes, but it was so dark we could not tell which.

The above questions put to any of the Gaspee's people, who pretend to establish the negro's evidence, by swearing to the

identity of him, I think, must convince any one that their testimony is absolutely false.—The midshipman at Boston swore that it was a very dark night; and how is it possible that the features and dress of a negro could be sworn to a month afterwards.

I am requested by some persons in this town to inform your honor that one David James, a young man, who served his time in this town, and is properly an inhabitant thereof, was last week impressed out of a sloop belonging here, Joseph Tillinghast, master, and carried on board the schooner Halifax.

The young man was born in ———, in Virginia, where he had left him by his father, some estate in land, which, by several letters of a late date from his brother, and his guardian, appears to be sold, and that the money thereof will be sent to him very soon by a schooner that is now gone there. I have seen the letters myself this day, and make no doubt but they are genuine. If your honor will interpose so far as to use your endeavors to get him discharged, you will do a singular favor to the young man and to his acquaintances here. If he remains in confinement there will be nobody to take care of his money or goods that may be sent him from his patrimony, which will be his total ruin.

I am, sir, your most obedient and humble servant,

DARIUS SESSIONS.

Gov. WANTON.

The following rough draft of a letter is filed among the papers of the commissioners, and is supposed to be the report of their proceedings up to their adjournment in January:

NEWPORT, Rhode Island, Jan. 21, 1773.

MY LORD:—In obedience to his Majesty's commands, signified to us by your Lordship's letter of the 4th of September last, we, with the utmost dispatch in our power, repaired to Newport, where, on the 15th day of January last, his Majesty's commission, under the great seal of Great Britain, was delivered to us in the Council Chamber at Newport by Capt. Keeler, commander of his Majesty's ship the Mercury, and the commanding officer in the naval department at that place; upon which, we immediately ordered the same to be publicly read and proclaimed, which was accordingly done before a great concourse of people, who, on the occasion, behaved with great decency. This being done, we proceeded, with all despatch in our power, to business, and finding in the last clause in our commission, that in the execution and performance of the power and authority thereby given us, we are strictly charged and commanded carefully to observe and conform ourselves to such instructions as we should receive in writing, under the King's sign manual; whereupon we applied ourselves to the careful examination of those instructions: in one of which are the words, "to the end that they may accordingly be arrested and delivered to the custody

of the commander-in-chief of our ships and vessels in North America, pursuant to such directions as we have thought fit to give for that purpose." Being convinced that the above charge given us by his Majesty in our commission referring to the instructions under the sign manual, could not be dispensed with, we wrote to Rear Admiral Montagu that we were fully of opinion that his attendance at Newport was necessary, in order if there should appear evidence against any person sufficient to arrest him upon, he must be delivered to the Admiral according to our instructions, from which we could not depart, notwithstanding your lordship's letter of the 4th of September last to Gov. Wanton, wherein you inform him "that such offenders as may have been or shall be arrested and committed within the colony of Rhode Island be delivered to the care and custody of Rear Admiral Montagu, or the commander-in-chief of his Majesty's ships in North America for the time being, or to such officer as he shall appoint to receive them." We here beg leave to assure your lordship, that we had not the least inclination to deviate from your lordship's letter had not we been fully convinced that the express words of our commission obliged us to do it. Several letters passed between us and the Admiral on this subject, wherein we explained to him the necessity, according to our commission and instructions, of his being here in person. Though we did not agree on this head, he thinking that, according to his instructions and your lordship's last mentioned letter, his presence was not at all necessary; yet he was polite enough to come to Newport on the 18th day of the month, and meeting us at the Council Chamber on the 18th inst., he informed us that he believed from the information he had received from others, Capt. Duddington would be able to make such declaration relative to the business we are on, as would prove very material, and at this inclement season of the year it was impossible for him properly to execute his orders from the Lords commissioners of the Admiralty relative to the business we are now upon. Also that the other duties of his department at this time absolutely required his attendance at Boston, and therefore in a very few days he must return. Taking all these matters into consideration, and the extreme rigor of the season, which renders it almost impossible to procure witnesses who are at any distance from us without waiting a very unreasonable time for them, we thought an adjournment to May next necessary for his Majesty's service, and accordingly notified Admiral Montagu that we should adjourn to on or about the 26th of that month, when he will undoubtedly be here. Copies of the letters passing between the Admiral and us on these subjects are herewith transmitted to your Lordship.

We have proceeded to examine such wit-

nesses as we could obtain, and also carefully to look into all papers which Gov. Wanton has laid before us relative to the conduct of the magistrates of this government in the business we are upon; but find it totally impossible at present to make a report, not having all the evidence we have reason to expect. We therefore hope, for these reasons, that our omitting it will not be disagreeable. In short, we have hitherto, my Lord, exerted ourselves to our utmost abilities in the execution of the trust his Majesty has been pleased to honor us with, and your Lordship may rely on our future endeavors to discharge ourselves with that fidelity which the nature of so important a commission demands.

We are, with the utmost respect, my Lord, your Lordship's most obedient and most humble servants.

The commissioners adjourned to meet on the 26th day of May, 1773, at Newport. The journal of their proceedings, if any were kept, is not among the papers. To remove the difficulties between Admiral Montagu and the commissioners, relative to his personal attendance at Newport, the board of Admiralty in England despatched him special orders as follows:

By the commissioners for executing the office of Lord High Admiral of Great Britain and Ireland. &c.

Whereas you represented to us by your letter of the 19th of January last from Rhode Island, as the season of the year was so far advanced as to render it hazardous for you to proceed thither with the ships under your command agreeable to our instructions of the 7th of September last, you had given Capt. Keeler, of the Mercury, the senior officer of the King's ships at that Island, to whom you had before despatched his Majesty's commission for enquiring into the circumstances relative to the burning of the Gaspee schooner, orders to aid and assist the commissioners therein named in the same manner as you should have done had you been there; but, as the said commission expressly directs the prisoners to be delivered to you, the commissioners did not chuse to proceed to business until your arrival; that, in consequence of receiving such information, you had proceeded thither by land, and had hoisted your flag on board the Lizzard; and that the commissioners had examined some few persons; and whereas you further represented to us, by your said letter, that, if you are obliged to attend the commissioners at Rhode Island, the naval business at Halifax and Boston will be greatly retarded, as it will be impossible for you to attend to those and your other duties, and have therefore desired, as the senior officer of his Majesty's ships at Rhode Island will, in your opinion, in every

respect, answer the purposes there as well as yourself, that you may receive our directions to remain at Boston with your flag, unless there appears to be an absolute necessity for your being at Rhode Island; and whereas the Earl of Dartmouth, one of his Majesty's principal secretaries of state, to whom we sent an extract of so much of your letter as related to this business, for his Majesty's information, hath, by his letter of the 20th instant, acquainted us that his Majesty is pleased to approve that the execution of his Majesty's orders respecting the service at Rhode Island, should be entrusted to the senior Captain of such of his ships of war as may from time to time be stationed at that colony. You are therefore hereby required and directed to entrust the execution of his Majesty's said orders to such senior captain accordingly.

Given under our hands the 26th of March, 1773.

SANDWICH,
J. BULLER,
LISBURNE.

By command of their Lordships:

CHAS. STEPHENS.

To John Montagu, Esq., Rear Admiral of the Blue and commander-in-chief of his Majesty's ships and vessels in North America, at Boston.

Previous to the reception of these orders, the following letters passed between the commissioners and the officers of the Navy stationed in New England:

Boston, 24th May, 1773.

GENTLEMEN:—As I understood you are soon to meet to proceed on business, I am to inform you I have ordered to Capt. Keeler, of his Majesty's ship Mercury, William Dickenson, late midshipman of the Gaspee, and Bartholomew Cheever, one of her seamen, two evidences sent out of England by the Right Honorable the Lords Commissioners of the Admiralty. As they were on board when captain Duddingston was wounded, these people if the men called the head sheriff and captain can be found) can swear to their persons. You will be the best judges what use to make of them when they appear before you.

I expect the Captain man-of-war will return from Halifax in ten days, when I shall lose no time in repairing to Rhode Island; but if, in the meantime, you should think my presence absolutely necessary, I will set out by land, although it will be attended with great inconvenience to me.

Capt. Keeler has my orders to give you every assistance in his power, and I doubt not but that he will faithfully execute them.

I am, gentlemen, your most obedient humble servant,

J. MONTAGU.

MERCURY, in Rhode Island ?

Harbor, May 27, 1773.

SIR:—Admiral Montagu finding the King's

commissioners meeting at Newport, he has sent me an officer and one seaman, late belonging to the Gaspee, and just arrived from England, to give information of the persons that were concerned in the burning of said schooner.

Likewise a letter directed to his Majesty's commissioners at Rhode Island, with directions to me to deliver it to you when sitting; but as I am detained on board on account of a writ being issued out against me, I am to desire you will give me notice in writing, when you meet, that the letter may be sent by a proper officer, and of the time you choose to have the evidences on shore to be examined.

I am, sir, your most obedient humble servant,

J. KEELER.

To Hon. Joseph Wanton, Esq., President of his Majesty's commission at Newport, Rhode Island.

NEWPORT, May 27, 1773.

SIR:—Though there are three commissioners met at Newport, yet, as the other two gentlemen are daily expected, it is thought most conducive to his Majesty's service not to proceed on business till they join us. At which time we shall acquaint you, when the witnesses you mention to us may be examined, and Admiral Montagu's letter delivered, and in the interim, are

Your most obedient humble servants,

J. WANTON,

PETER OLIVER,

ROBT. AUCHMUTY.

Capt. ROBERT KEELER.

NEWPORT, May 31, 1773.

SIR:—The gentlemen commissioners are now arrived from the southward; therefore we are ready to receive Admiral Montagu's letter mentioned in yours of the 27th inst., and to-morrow morning shall also be ready to take the depositions of those witnesses you inform us are arrived from England. The commissioners will attend such examination to-morrow morning at ten o'clock, and are your most obedient and humble servants,

J. WANTON,

PETER OLIVER,

ROBT. AUCHMUTY.

Capt. ROBERT KEELER.

NEWPORT, June 2, 1773.

SIR:—Three of the commissioners met at this place on the 26th ult., but as the gentlemen from the southward were not arrived and daily expected, it was thought by those present most conducive to his Majesty's service to delay entering on business till they were joined by their brethren. Your not receiving an answer sooner to your favor of the 21th of last month was owing to that reason. The gentlemen being now on the spot, beg leave to observe to you that the witnesses you mention have been examined, and that it will

be very agreeable to them to have the pleasure of your company at Newport whenever it will comport with his Majesty's service in general, but at present see no immediate occasion for your coming without your ships, and are, with the greatest respect, sir,

Your most obedient humble servants,
To JOHN MONTAGU, Esq.

BOSTON, 14th June, 1773.

GENTLEMEN:—In answer to your letter of the 2d, which I received the 12th, I beg leave to inform you that as the service will not admit of my being at Rhode Island this summer, I have sent orders to Capt. Keeler, of his Majesty's ship *Mercury*, to render you every service in his power in the execution of your commission, agreeable to his Majesty's directions signified to me by my Lords commissioners of the Admiralty by their order of the 26th of March 1773, a duplicate of which I herewith inclose to you, and am with respect, gentlemen,

Your most obedient, humble servant,

J. MONTAGU.

His Majesty's Commissioners at Rhode-Island.

The following evidence was submitted to them at this session:

The examination of William Dickinson, late midshipman of his Majesty's schooner the *Gaspee*, taken on oath at Newport, in the colony of Rhode Island, this first day of June, A. D. 1773: Who saith, that on the tenth day of June, in the year one thousand seven hundred and seventy-two, between the hours of 12 and 1 in the morning, the said schooner, then working in her dock upon Namquit Point, about two miles below Pawtuxet, and not able to get off; the watch being on deck, as he supposed, gave the alarm that a number of boats were coming down the river; upon which Lieutenant Duddingston went on deck and hailed the boats, and ordered them to keep off or he would fire into them; but as they refused to keep off we fired at them, and they returned the fire, whereby Lieutenant Duddingston was wounded in the left arm, and in the groin; they then boarded us, and used us very ill, by beating and knocking down the people, and afterwards by tying them and throwing them into their boats, the captain of the gang swearing he would give no quarters. The captain of the gang ordered Lieutenant Duddingston on his knees and to beg his life: he said he could not, he was wounded; whereupon the said captain answered, "Damn your blood, you are shot by your own people;" they then took him into the cabin, where two men dressed his wounds, who, by their behavior, appeared to have some skill in surgery. And this examine further saith, that while Lieutenant Duddingston's wounds were dressing, those two persons who assumed to be the head sheriff and the captain, demand-

ed the papers belonging to the vessel, which he delivered by Lieutenant Duddingston's orders to them, consisting of the Lieutenant's commission from the Lords of the Admiralty, Admiral Montagu's instructions, letters, and other papers; and upon his particularizing those papers as he delivered them, they damned him, and told him they did not come there to receive any instructions from him, but would examine the papers at their leisure, which they put into their pockets, and then carried Lieutenant Duddingston on shore about two miles from the schooner.—The examine after this continued on board said schooner about three quarters of an hour, and was told by the captain of the gang, that unless he quitted the schooner he would throw him overboard; during this time they continued plundering the schooner. The examine was landed in one of their boats on the shore opposite to the schooner, where he remained some time; and that within an hour after he was landed, he saw the said schooner on fire, and it being then daylight, he saw three of their boats put off from the schooner full of men, one of which landed the people at Pawtuxet, and the other two rowed towards Providence. This examine further saith, that the said schooner when she was burnt lay about eight or ten miles, to the best of his judgment, from the north end of the island of Prudence, and that several negroes were on board the said schooner, and also rowed the boats which boarded the schooner, but he does not know their names, and he cannot recollect that he saw any of those negroes enter the cabin; and he also saith that he does not know the names of any of the persons who boarded and destroyed said schooner, or wounded Lieutenant Duddingston, but that the captain who was called the captain of the gang, was a well set man, of a swarthy complexion, full face, hoarse voice, and wore a white cap, was well dressed, and appeared rather above the common rank of mankind; and that the greater part of those he saw on board the schooner and in the cabin were persons well dressed, many of them with ruffled shirts, and appeared as store-keepers, merchants or masters of vessels; the person who was called the head sheriff was a tall, genteel man, dressed in blue clothes, his hair tied behind, and had on a ruffled shirt. One of the persons who acted as surgeon in dressing Lieutenant Duddingston's wounds, appeared to be about eighteen years of age, very much marked with the small pox, light brown hair tied behind, about five feet five or six inches high; the other was a very genteel man, appeared to be about twenty-two years of age, his hair tied behind, a thin person, and about five feet eight or nine inches high. This examine further saith, that after he returned from Boston to Providence, a few days after the schooner was destroyed, the first described surgeon met him in one of the streets in Pro-

vidence, and asked him whether he knew how Lieutenant Duddingston did, but the examinee does not know his name, and further saith not.

W. DICKINSON.

Sworn to at Newport on the day and year above said, before

J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver.

The examination of Bartholomew Cheever, mariner, and late a seaman on board his Majesty's schooner the Gaspee, taken on oath at Newport, in the colony of Rhode Island, on the first day of June, 1773: Who saith, that on the 9th day of June last, the schooner Gaspee run aground on her passage to Providence, on a point of land about two or three miles below a small town, and about five miles from the town of Providence; that about three quarter after twelve o'clock the next morning, being the tenth of June, he was standing upon the quarter deck of said schooner as a sentry, every other person belonging to said schooner being below, he saw a number of boats coming towards said schooner, which he hailed, but no answer was returned; he then immediately gave notice to Lieutenant Duddingston and the midshipman, who instantly came upon deck; the boats were again hailed, and the answer returned by some of the people in said boats was, "Damn your blood, we have you now." The captain ordered them to keep off, and told them if they did not he would fire into them; they answered, they did not care, they would be aboard directly. The captain then ordered all hands on deck, but the people who were in the boats boarded the schooner, and as they were entering said schooner, they shot the captain, and afterwards tied the people belonging to said schooner and carried them on shore nearly opposite to the schooner; they then broke open the arm chest and took possession of the small arms; and after they had landed all the Gaspee's people he saw the said schooner on fire, but he knoweth not the names of any of the persons who were concerned in destroying said schooner; and that those who acted as principals were called the head sheriff and the captain, and one of them was called constable. And this examinee further saith, that while he was attending upon Lieutenant Duddingston at a town called Pawtuxet, he saw two of the persons who were concerned in destroying said schooner but did not know their names.

his
BARTHOLOMEW CHEEVER.
mark.

Sworn to at Newport the day and year above said, before

J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver,

The examination of John Cole, of Providence, in the colony of Rhode Island, Esq., taken on oath in Newport in said colony,

this third day of June, A. D. 1773: Who saith, that the evening preceding the burning the Gaspee I spent at Mr. James Sabin's tavern, in Providence aforesaid, in company with several gentlemen; about 7 or 8 o'clock, hearing a noise in the street of said town, I pulled back the shutter of one of the windows next the street, and saw several men, about twelve, as I apprehend, but did not know one of them, collected together; upon which, I made inquiry of the gentlemen in the room if they knew the occasion, and was answered by one of the company, but whom I cannot particularly recollect, that he hoped they were not upon any design of mischief; to which I replied, "I believed not; if they were on such a design they would not be so public." Some short time after, I heard a drum beat in the street; upon which I again opened the shutter, saw three or four boys passing along with the drum, and no other persons; between 11 and 12 o'clock in the same evening, I left the said tavern, at which time I found the street clear and still; I then observed that I believed if any mischief was intended, they had thought better of it and gone home. Early in that evening, and before I first opened the shutter, I heard, but whether after I joined the company or in the street going to said tavern, I cannot recollect, that the Gaspee was then run on shore; neither do I remember the person giving me that information; I never heard any intimation of an intention to burn the Gaspee, nor do I know any person or persons concerned in that transaction, or ever heard who they were. The place where the said Gaspee was burnt was in the township of Warwick, in the county of Kent, in the colony of Rhode Island. From the cove near Mr. Samuel Tompkins's house to the place where the Gaspee schooner was burnt, is, according to the best judgment I can form, near, if not quite four leagues; and further this deponent saith not.

JOHN COLE.

Taken and sworn to at Newport on the day and year before written, before

J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver,
Robt. Auchmuty.

The examination of John Andrew, Esq., of Cranston, in the colony of Rhode Island, taken on oath at Newport, in said colony, on the 5th day of June, 1773: Who declares and says, that he was in the town of Providence the night that the schooner Gaspee was destroyed, at a tavern where he spent the evening with a number of gentlemen; and after supper he heard a drum beat in the street, and inquired into the cause thereof, and received for answer, that it had been training day, and the people were breaking up their frolic; about 12 o'clock he repaired to his lodgings, it being very dark, and went to bed; the next morning, the sun about half an hour high, was surprised with hearing

some persons say to each other that the said schooner was burnt, upon which, he opened the window and saw on the other side of the street two black fellows and one white man talking together; I inquired what was the matter, and received for an answer from the white man, that some people in the night had burned the man-of-war schooner; upon which, he immediately dressed himself, and waited upon the deputy governor; and he informed him that he had heard the news, and sent for his horse, in order to repair to the spot and enquire of Capt. Duddingston and his people, and find, if possible, the persons that had done the mischief; we procured a horse as soon as possible, and went to Pawtuxet where we found Mr. Duddingston badly wounded, and we saw the said schooner on shore about a mile and a half distance, which appeared by the smoke to be on fire, and burnt down almost to the water's edge. The deputy governor, in his hearing, inquired of Mr. Duddingston, if he had any knowledge of the persons that committed this trespass; he made answer that he should render no account about the matter until he appeared before a court martial, where he expected to be tried, if he survived his wounds, and such account might be made use of to his advantage, but was willing that his people should be sworn, and had them called in, and cautioned them to swear the truth; he then, as his Majesty's Commissary for the colony, conferred with Mr. Duddingston concerning saving such guns and stores as could be saved, and agreed to save all that was possible to be saved, and procured a man to undertake the business; and he likewise requested that his people might be taken care of, and sent on board his Majesty's sloop of war called the Beaver, then at Newport, and procured a small vessel to carry them on purpose; he visited Mr. Duddingston several times, and requested of him if he had any knowledge of such persons as had done the mischief that he would inform him thereof, that the persons might be brought to condign punishment, but he always declined saying anything in the affair. And further, that early in the morning after the said schooner was destroyed, he met with Daniel Jenckes, Esq., Chief Justice of the Common Pleas, in the county of Providence, who said that he had informed the deputy governor of what had happened the preceding night respecting the Gaspee, and then urged that the deputy governor and this examinee would repair immediately to Pawtuxet, and examine such of the Gaspee's men as could be found, while it was fresh in their memories, that the villains might be discovered and not the whole colony blamed. JOHN ANDREW.

The foregoing examination was taken and sworn to at Newport on the day and year afore written, before

*J. Wanton, Peter Oliver,
Dan. Horsmanden, Robt. Auchmuty.*

The examination of James Helme, Esq., of South Kingstown, in the county of King's county, and colony of Rhode Island, &c., taken on oath at Newport, in said colony, this fifth day of June, A. D. 1773: Who saith, that in October following the burning the schooner Gaspee, the Superior Court of Judicature, &c., for said colony, sat at East Greenwich, in the county of Kent, at which Court I presided, being the eldest Justice of the same present. Before the sitting of said Court I had heard of the said schooner's being burnt, and of Lieutenant Duddingston's being wounded. I did not give any charge to the grand jury at that court, nor is it usual in this colony to give either general or special charges to grand juries; but before the meeting of said court I informed my brethren that if I presided at said court I fully intended to give the affair of burning the said schooner and wounding the Lieutenant in charge to the jury; but having been near two months on the circuit it entirely went out of my mind when the grand jury was empanelled, and there being no business laid before said jury, they were soon dismissed; immediately after, I recollected the omission of what I intended, and then mentioned to some of the other judges of the court, that I had entirely forgot to give the business of destroying the Gaspee and wounding Lieutenant Duddingston in charge to the grand jury, which I had designated, and further this deponent saith not. JAMES HELME.

Taken and sworn to at Newport on the day and year first within written, before

*J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver,
Robert Auchmuty,*

The examination of George Brown, of Providence, in the colony of Rhode Island, Esq., taken on oath at Newport, in said colony, this fifth day of June, A. D. 1773: Who saith, that the evening preceding the burning of the schooner Gaspee, he, with several other gentlemen, met at the house of Mr. James Sabin, in Providence aforesaid, it being a public house, to spend the evening together; about ten o'clock, as I suppose, I heard a drum beat in the street; I asked the reason of said drum beating, on which some one of the company, but whom I do not recollect, answered, that there were some boys beating the drum, which was common for two or three years past in summer evenings in said town; it is also usual for the young people to assemble to learn to beat a drum, and other military exercises; before sunset that evening I had heard that the said schooner was aground; but had not then the least suspicion that any mischief was intended to be done to said schooner, or any body on board of her, not having heard any intimation to that purpose; and I further declare that I have not any knowledge, directly or indirectly, of any plans being laid to burn or

otherwise destroy said schooner, or of any person concerned in so vile a crime, or wounding Lieutenant Duddingston; some time after I heard the drum, I had occasion to go to the door, when I plainly saw about ten or a dozen boys with a drum, and am confident there was not at that time one man among them; nor had I during that evening, any conception of any mischief intended. The place where said schooner was burnt is in the township of Warwick, in the county of Kent, in the colony of Rhode Island and Providence Plantations. From the dwelling house of Mr. Samuel Tompkins to the place where said schooner was burnt, is, according to my judgment, about nine miles; and further this deponent saith not.

G. BROWN.

Taken and sworn to at Newport on the day and year above written, before

*J. Wanton, Fred Smythe,
Dan. Horsmanden, Peter Oliver,
Robert Auchmuty,*

The examination of Samuel Faulkner, of Bristol, in the colony of Rhode Island, and laborer, taken upon oath, at Newport, the 11th day of June, 1773: Who saith, that he lived with Mr. Samuel Tompkins, of the island of Prudence, in said colony, from the 1st of April, 1772, to the last of July following, and knoweth a negro fellow named Aaron, who lived with said Tompkins part of said time, and as he understood was an indentured servant to said Tompkins; that several persons came over from Bristol to said island, and said that the Gaspee schooner was burnt two or three days before, which was the first time he heard of it; that he never requested the said Aaron to go with him from Prudence to Bristol in any part of the aforementioned time of his living with the said Samuel Tompkins, having then no occasion to go to Bristol; that when the people of Bristol gave an account of the burning of said schooner, Aaron was present, and did not either at that time or at any other time afterwards discover he had any knowledge of the destroying of said schooner; that when the people from Bristol gave said account, they mentioned the particular night on which said schooner was burnt, and to the best of his recollection, Aaron milked the cows after sunset that night, and was at home early the next morning, and therefore concluded that Aaron was at his master's house the whole of that night; that he does not remember his telling the said Aaron he would ask his master to let him go with him to Bristol in any part of the above mentioned time of his living with said Tompkins, but well remembers that the summer before, when he also lived with said Tompkins, that he asked him once or twice to let Aaron go with him to Bristol; that he never was in company with Aaron when Mr. Potter, of Bristol, was present; but has been in Mr. Potter's ropewalk in

Bristol in company with Aaron; neither was he ever on a wharf in Bristol with Aaron, nor at any time pointed out Mr. Potter to said Aaron, and he does not recollect that when he was in Mr. Potter's ropewalk as aforesaid that he told said Aaron whose it was; and that when they went to Bristol together the summer before the Gaspee was burnt, they landed on the shore; that when Aaron ran away from his said master he stole his small boat, which lay on the shore, and went away in her; and that when the people from Bristol brought the said news of the Gaspee's being burnt she was then lying on the shore with her seams much opened; that some time after this, and before Aaron stole her, she was repaired; that he does not remember that the people from Bristol mentioned any persons names of being concerned in destroying said schooner, and he does not know any of the persons who burnt said schooner; and this examinee further saith, that the said Aaron was looked upon by the people where he worked as a person much addicted to lying.

SAMUEL FAULKNER.

Taken and sworn to at Newport on the day and year above-mentioned, before

*J. WANTON,
FRED. SMYTHE,
ROBT. AUCHMUTY.*

Darius Sessions, Esq., of Providence, on oath declares and says, that, in the month of March, A. D. 1772, or thereabouts, sundry of the principal inhabitants of the town of Providence made application to the deponent in writing, representing that there was and had been for some time past, a schooner cruising in the Narragansett river, that disturbed all the vessels and boats that were passing therein, by chasing, firing at and searching them, and often treating the people aboard of them with the most abusive language, and that the commander showed no commission to support such proceedings; they therefore requested me to inform the Governor thereof, that if he knew not who he was, or if he had not been acquainted with his commission and authority, he would be pleased to make inquiry therein; soon after I received said writing hearing that the chief justice was in the court house near by, I wrote a line on the back of said paper and sent it to him, desiring his opinion on the affair; it was soon returned with something written under mine, to this purpose, viz: That it was his opinion that for any person whatever to come into the colony and in the body thereof, to exercise any authority by force of arms or otherwise, without showing his commission to the Governor, and (if a custom house officer) without being sworn into his office, was guilty of a trespass, if not piracy. All which proceedings, to the best of my remembrance, I afterwards sent to the Governor. And to the best of his remembrance, the aforesaid com-

plaint was signed by the following persons:
John Brown, *Ambrose Page,*
Nathan Angell, *Darius Sessions,*
Joseph Nightingale, *James Loret,*
Job Smith, *Nicholas Brown,*
Thomas Greene,

NEWPORT, June 12th, 1773.

Sworn to before J. WANTON,
 Governor.

On the 7th of June, the commissioners requested the personal attendance of the Justices of the Superior Court of the Colony. The design of the commissioners will appear in the following papers:

The honorable the commissioners, appointed by royal commission, for examining into the attacking and destroying his Majesty's armed schooner the *Gaspee*, commanded by Lieutenant Duddingston, and wounding the said Lieutenant, having laid before us, Justices of the Superior Court of Judicature, Court of Assize, &c., within and throughout the Colony of Rhode Island, two examinations of Aaron Briggs, two examinations of Patrick Earls, the examination of Peter May, the examination of William Dickinson, the deposition of Samuel Tompkins, Samuel Thurston, and of Somerset and Jack, indentured servants, for our advisement thereon:

It appeareth unto us from our consideration had thereupon, that no particular person or persons are made mention of as being concerned in that atrocious crime, except in the examination of Aaron Briggs, a negro, and of Peter May, one of the *Gaspee's* people. The confession of the said Aaron upon his first examination was made in consequence of illegal threats from Capt. Lindsey of hanging him (the said Aaron) at the yard arm if he would not discover who the persons were that destroyed the *Gaspee*; and besides, most of the circumstances and facts related in both of his examinations are contradictions repugnant to each other, and many of them impossible in their nature. It is evident from the depositions of Tompkins, Thurston, and Aaron's two fellow servants, that he was at home the whole of that night on which the *Gaspee* was attacked; especially as there was no boat on that part of the island in which he could possibly pass the bay in the manner by him described. In short, another circumstance which renders the said Aaron's testimony extremely suspicious, is Capt. Lindsey's absolutely refusing to deliver him up to be examined by one of the Justices of the said Superior Court when legally demanded.

Peter May, in his deposition, mentions one person only, by the name of Greene, whom he says, he saw before on board the *Gaspee*; but the family of Greene being very numerous in this colony, and the said Peter not giving the Christian name or describing him in such a manner as he could be found out, it is impossible for us to know at present

the person referred to. Upon the whole, we are all of opinion that the several matters and things contained in said depositions do not induce a probable suspicion, that persons mentioned therein, or either or any of them, are guilty of the crime aforesaid. It is, however, the fixed determination of the Superior Court to exert every legal effort in detecting and bringing to condign punishment the persons concerned in destroying the schooner *Gaspee*.

And if the honorable commissioners are of a different sentiment we should be glad to receive their opinion for our better information.

S. HOPKINS, Chief Justice.

J. HELME, } Assistant
 M. BOWLER, } Justices.
 J. C. BENNET, }

RHODE ISLAND, June 11, 1773.

GENTLEMEN:—We, the commissioners, appointed by his Majesty for inquiring into the attacking, plundering and burning his Majesty's schooner called the *Gaspee*, and wounding the Lieutenant, late commandant of said schooner, received your report on the examinations by us laid before you. In the conclusion of the same report you are pleased to say, it we differ from you in sentiment, you should be glad to receive our opinion for your better information. As by our instructions we are required to lay before the civil magistrates all such informations as we shall receive, and as it is your proper office to judge and act thereupon in such manner as you conceive most likely to answer the ends of public justice, therefore we decline giving any sentiment or opinion in the matter, and are, with much respect, gentlemen,

Your most obedient humble servants.

NEWPORT, June 12, 1773.

To the Hon. Stephen Hopkins, Esq., and the three Assistant Justices.

The following request of Chief Justice Smythe was thought worthy of preservation:

June 23d, 1773.

GENTLEMEN:—I desire the enclosed may be inserted in the journal of our proceedings. I am sorry it is not in my power to meet you this morning. As this minute contains only the plain facts, I hope there will be no objection to the request of

Gentlemen, yours, most heartily.

FRED. SMYTHE.

To the Commissioners, Gov. Wanton, Mr. Horsmanden, and Mr. Auchmuty.

June 21.—Chief Justice Smythe requested the board that some particulars of an attack of an armed schooner called the *St. John*, by the gunner of Fort George, in this Colony, in consequence of an order signed by two magistrates, dated July 1761, had been imparted to him on Saturday last, and conceiving that great irregularity, violence and disorder accompanied that transaction, and might be

considered as a leading cause to the destruction of the Gaspee, requested the board to take the affair into consideration and receive such information as might be procured on the subject; whereupon Gov. Wanton acquainted the board that his son was deputy governor of the colony at the time of the above transaction, and could fully explain the affair, that the said gunner of the fort was in town and might be called upon; then the board agreed to take the matter into consideration to-morrow morning.

June 22.—The board being reminded by Mr. Smythe of his motion yesterday, produced the original order signed by the magistrates, and inquiring if the Governor's son or the gunner had been applied to for information on the subject. Mr. Auchmuty proposed that the sense of the board should first be taken whether the affair should be at all inquired into or not; whereupon Gov. Wanton and Chief Justice Horsmanden were of opinion that no notice whatever of the attack of the schooner St. John ought to be taken by this board. Mr. Smythe, on the contrary, was of opinion that a strict inquiry ought to be made on the subject and inserted in the report. Mr. Auchmuty doubted.

A part of the journal of the session of the commissioners held in January was omitted in its proper place, by mistake, and is here inserted:

Monday, January 11th, A. D. 1773.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Daniel Horsmanden, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., and Robert Auchmuty, Esq.

The commissioners received a letter from Metcalf Bowler, Esq., one of the Justices of Assize in the colony of Rhode Island tendering his services in aid of the commission, which was read and ordered to be filed.

The commissioners issued a summons for bringing before them Stephen Gully, a witness, relative to the taking and burning of the Gaspee schooner, in order to be examined before them at 11 o'clock to-morrow morning.

Tuesday, January 12.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Daniel Horsmanden, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., Robert Auchmuty, Esq.

Stephen Gully, who was summoned to give evidence to the commissioners of what he knew concerning the attacking and burning the Gaspee, &c., appeared before them and was examined upon oath, which examination was reduced to writing, signed by the deponent, and ordered to be filed.

The commissioners were of opinion that it was necessary to issue a summons to Saul

Ramsdale, William Thayer, and Joseph Borden. A summons was accordingly issued and delivered to Samuel Clark, who was sent off express at 2 o'clock.

Wednesday, Jan. 13.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Daniel Horsmanden, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., and Robert Auchmuty, Esq.

Joseph Borden, of Portsmouth, inn-holder, pursuant to summons, appeared before the commissioners and was examined upon oath, which examination was taken in writing, and ordered to be filed.

Thursday, 14th January.

The commissioners met according to adjournment. Present, all.

Aaron, the mulatto, appeared before the commissioners, and was examined upon oath, relative to the burning the Gaspee, which was taken in writing and filed.

The commissioners issued a summons for Patrick Earls to appear before them on Friday, the 15th inst, to give evidence of what he knows respecting the burning of the Gaspee, &c.

The commissioners received a letter from Admiral Montagu, acquainting them of his arrival at Newport.

The commissioners received from Admiral Montagu the deposition of Patrick Earls, taken the 16th of July last before a justice of the peace in the town of Newport.

The commissioners adjourned till to-morrow morning at ten o'clock.

Friday, Jan. 15.

The weather being extremely cold and violent stormy, the commissioners did not meet.

Saturday, 16th January.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Frederick Smythe, Esq., Peter Oliver, Esq., Robert Auchmuty, Esq.

Patrick Earls, a mariner, on board his Majesty's ship the ———, pursuant to summons, appeared before the commissioners, and was examined upon oath, which examination was taken in writing, and ordered to be filed.

A letter was delivered to the commissioners by the Admiral's clerk, at about half past eleven o'clock from Admiral Montagu, which was ordered to be filed.

The commissioners immediately agreed to an answer, as well to this letter as to the letter received from the Admiral on the 14th inst. in the following words:

Which letters were delivered to J. Brenton, Esq., one of the Secretaries, who attended the Admiral with them, and delivered them to the Admiral's Secretary, the Admiral being abroad, with the following message from the commissioners, that they were now sitting, and would be glad to see the Admi-

ral at the board at any time this day before 2 o'clock in the afternoon, or on Monday or Tuesday next, if convenient to him.

At two o'clock a message was received by the commissioners from Admiral Montagu acquainting them he would wait on them on Monday morning next.

The commissioners then adjourned the business of the commission to Monday morning at ten o'clock.

Monday, 18th of January.

The commissioners met according to adjournment. Present, all.

The Hon. Admiral Montagu waited upon the commissioners agreeable to his message of Saturday last.

The Admiral laid before the commissioners, letters which he had received from Lieutenant Duddingston during his residence at Pawtuxet and Newport after the destroying of the schooner Gaspee.

The Admiral also delivered to the commissioners, a list of persons who reside in Providence as material witnesses relative to the assembling of the people prior to the attacking the Gaspee, in consequence of which they ordered a summons to be issued for John Andrews, Esq., John Cole, Esq., Daniel Hitchcock, Esq., and George Brown, Attorneys at Law, and Arthur Fenner and James Sabin, to attend on Wednesday next at 11 o'clock, which was issued accordingly. The summonses were delivered to Samuel Clark, who was sent as express by the commissioners at 20 minutes after 3 o'clock.

The commissioners adjourned till to-morrow at ten o'clock.

Tuesday, 19th January.

The commissioners met according to adjournment. Present, all.

Peter May attended the commissioners pursuant to summons, and was examined upon oath, which examination was reduced to writing and ordered to be filed.

Robert Masters, who was also summoned, appeared, and upon examination on oath, there appearing nothing material in his testimony, he was discharged without making any deposition.

The commissioners received a letter from Admiral Montagu, which was read and ordered to be filed; an answer was immediately ordered, which was accordingly written in the following words: —, and delivered to the Admiral by —.

The commissioners also received another letter from the Admiral, enclosing the deposition of Aaron Briggs, taken the — day of —, which was ordered to be filed.

The commissioners adjourned till to-morrow at 10 o'clock.

Wednesday, Jan. 20.

The commissioners met according to adjournment. Present, all.

The commissioners directed copies of the several letters which have passed between them and Admiral Montagu to be made out

in order to be transmitted to the Earl of Dartmouth.

Thursday, Jan. 21.

The commissioners met according to adjournment.

Present, Joseph Wanton, Esq., Frederick Smythe, Esq., Peter Oliver Esq., and Robert Auchmuty, Esq.

Samuel Clark, who was charged with the delivery of the several summonses issued by the commissioners on the 18th inst., made return upon oath of his service thereof, which was ordered to be filed. Samuel Clark exhibited his account to the commissioners for performing two journies for them, one to Mendon, and the other to Providence, which amounted to —, and was paid by the commissioners.

The commissioners agreed to address the Earl of Dartmouth, whereupon a letter was drafted in the following words:

Joseph Wanton, Governor of the colony, made oath of what he knew respecting the Gaspee, &c.

An adjournment being determined upon, Mr. Auchmuty and Mr. Oliver signified their intention of returning home, and took leave of the other commissioners accordingly.

Friday, 22d January.

The commissioners met according to adjournment.

Present Joseph Wanton, Esq., Daniel Horsmanden, Esq., and Frederick Smythe, Esq.,

Samuel Clark, who was charged with the service of summons on the 12th inst., for two persons at Mendon, made return upon oath of his service thereof, which was ordered to be filed.

The commissioners received a letter from Arthur Fenner, at Providence, excusing his attendance in obedience to a summons of the 18th:

Also, a letter from James Sabin, excusing his attendance in obedience to a summons of the same date, which were ordered to be filed.

The commissioners adjourn all further proceedings until the 26th day of May next, then to meet at Newport.

The following is the form of oath taken by the commissioners.

We do solemnly and sincerely, in the presence of God, profess, testify and declare, that we do believe, that in the sacrament of the Lords supper there is not transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the — thereof by any person whatsoever: And that the invocation or adoration of the Virgin Mary, or any other Saint, and the sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous: And we do solemnly, in the presence of God, profess, testify and declare, that we do make this declaration and every part thereof, in the

plain and ordinary sense of the words read unto us, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation, whatsoever, and without any dispensation already granted us for this purpose by the Pope, or any other authority or power whatsoever, or without any hope of such dispensation from any person or authority whatsoever, or without thinking that we are or can be acquitted before God or man, or absolved of this declaration or any part thereof, although the pope, or any other person or persons, or power whatsoever shall dispense with or annul the same, or declare that it was null and void from the beginning.

*J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver,
Robt. Auchmuty,*

We do truly and sincerely acknowledge, profess, testify and declare in our conscience, before God and the world, that our Sovereign Lord, George the Third, is lawful and rightful King of this Realm, and all other his Majesty's dominions thereunto belonging: And we do solemnly and sincerely declare, that we do believe in our consciences, that not any of the descendants of the person who pretended to be Prince of Wales during the life of the late King James the Second, and since his decease pretended to be, and took upon himself the style and title of King of England, by the name of James the Third, or of Scotland, by the name of James the eighth, or the style and title of King of Great Britain, hath any right or title whatsoever to the Crown of this Realm, or any other the dominions thereunto belonging: And we do renounce, refuse, and abjure any allegiance or obedience to any of them: And we do swear, that we will bear faith and true allegiance to his Majesty, King George the Third, and him will defend to the utmost of our power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown or dignity: And we will do our utmost endeavor to disclose and make known to his Majesty, and his successors, all treason and traitorous conspiracies which we shall know to be against him, or any of them: And we do faithfully promise to the utmost of our power to support, maintain, and defend the succession of the crown against the descendants of the said James, and against all other persons whatsoever, which succession, to an act entitled, "An act for the further limitation of the crown, and better securing the rights and liberties of the subject," is and stands limited to the Princess Sophia, Electress and Dutchess Dowager of Hanover and the heirs of her body being protestants: and all these things we do plainly and sincerely acknowledge and swear according to these express words by us spoken, and according to the plain and common sense and understanding

of the same words, without any equivocation, mental evasion, or secret reservation whatsoever: And we do make this recognition, acknowledgment, abjuration, ——— and promise heartily, willingly, and truly, upon the true faith of a Christian. So help us God.

*J. Wanton, Fred. Smythe,
Dan. Horsmanden, Peter Oliver,
Robt. Auchmuty.*

We do swear, that we do from our hearts, abhor, detest, and abjure as impious and heretical, that damnable doctrine and position that princes excommunicated or deprived by the pope or any authority of the See of Rome, may be deposed or murdered by their subjects or any other whatsoever. And we do declare that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm. So help us God.

*J. Wanton
Dan. Horsmanden
Fred. Smyth.
Peter Oliver
Robt Auchmuty*

The commissioners probably closed their labors on the 23d of June, on which the following letter, enclosing the report of their proceedings, was sent home:

NEWPORT, June 22, 1773.

MY LORD:—So much time being necessarily spent in the business of his Majesty's royal commission renders our return to our several colonies highly expedient, and having executed the same to the utmost of our abilities, we beg leave to enclose to your Lordship, a report thereon.

Your Lordship is very sensible for the ex-

execution of the trust his Majesty hath been graciously pleased to honor us with, it was strictly necessary to have the assistance of secretaries, messengers to summon witnesses, or go express on the business, some constant attendants and stationery. No particular mode having yet been pointed out to us for defraying these expenses by government, we have discharged the same, except the secretaries Mr. Erenton and Mr. Clark, but at this, our second meeting, we found one of those gentlemen sufficient for the same.

Mr. Oliver would have joined us in the report to his Majesty if the duty of his office had not indispensably required him to take his leave of us a few days since.

My Lord, as we have used the utmost assiduity, and made the strongest possible efforts to the thorough accomplishment of the end and design of the commission, though not attended with that success most ardently wished for by all, yet we humbly hope his Majesty will be graciously pleased to accept of our services and endeavors therein, which will reflect the greatest honor on your Lordship's most respectful and most obedient humble servants.

"TO THE KING'S MOST EXCELENT MAJESTY."

MAY IT PLEASE YOUR MAJESTY:—In obedience to your royal commission and instructions, and from a due sense of the duty therein enjoined on us, we have used our utmost care and diligence for the purpose of enquiring into and reporting to your Majesty all the circumstances relative to the attacking, plundering and burning the schooner Gaspee, wounding Lieutenant Duddington, and all other matters in the same commission and instructions contained.

We now beg leave, most humbly, to report to your Majesty, that on the earliest intelligence of your Majesty's commands, we, with the utmost dispatch in our power, repaired to Newport, where, on the fifth of January last, your Majesty's royal commission was published in the presence of a large number of people, who, on the occasion, behaved with great propriety. We next proceeded to give public notice of the subject matter of the commission and our being assembled for the execution thereof, requesting all persons who could give us any information relative to such matters forthwith to do.

We beg leave to observe to your Majesty, that the place where the Gaspee was destroyed, is, at least, twenty-three miles from Newport, and the accident of her running aground but a few hours before the attack take away all possibility of the inhabitants of the town being instrumental in or privy to the destruction of her; nor have we any evidence, even of the slightest kind, to induce suspicion to the contrary.

We further beg leave humbly to represent to your Majesty, that in the part of our duty

contained under the inquiry into the assembling, arming, and leading on the people to attack the Gaspee, also the concerting and preparing the same, we have been particularly attentive. But after our utmost efforts, we are not able to discover any evidence of either; and therefore, are humbly of opinion, both from the unforeseen event of the Gaspee's running on shore, the suddenness of the undertaking and its accomplishment, and the total want of evidence of even an intention to destroy her, though many witnesses of credit as well inhabitants of Providence as other places, were strictly examined on this head, that the whole was conducted suddenly and secretly.

On the tenth of June last, about 1 in the morning, a number of armed people, many of whom, by their dress, appeared much above the rank of common people, and were accompanied by several negroes and others, boarded the schooner Gaspee, then on shore on a point of land called Namquit, which is within the township of Warwick, and county of Kent, in this colony, and about six miles from the town of Providence; and after wounding the Lieutenant, and using the crew with great barbarity, first plundered and then burnt the schooner, taking the Lieutenant and his people on shore, to a place called Pawtuxet, about two miles distant. With respect to the conduct of the magistrates, on the morning of the eleventh of June, the deputy governor, being informed of the destruction of the Gaspee, the Lieutenant being wounded on shore at Pawtuxet, first inquiring if any of the offenders were known, and receiving no information of such, immediately repaired to the place, and finding the Lieutenant in a dangerous condition, offered him every proper assistance, to which the Lieutenant replied, he wanted no favors for himself but desired his people might be taken care of and sent on board the Beaver, which was accordingly done. The deputy governor then told the Lieutenant the design of his visit was not only to afford him any assistance, but to procure such a declaration from his own mouth respecting the transaction that the offenders might be brought to justice; to which the Lieutenant answered, he would not give him any account of the matter, first, because of his indisposition, and, secondly, it was his duty to forbear any thing of that nature until he had done it unto a court martial. The deputy governor then asked the Lieutenant if he was willing that his officers and men should be examined, to which, after some refusal, he consented. They were accordingly examined on oath, but were not able to give information against any person in particular. Mr. Andrews, Judge of the court of Vice Admiralty in this colony, attended the deputy governor, and behaved very properly on the occasion. The same day the deputy governor, by letter, informed the Governor of what had happened, and of eve-

ry step he had taken as a magistrate, and sent him all the depositions. In another letter of the 12th of June, he further informed the Governor, it was the unanimous opinion of a great number of the most respectable inhabitants of Providence, that a proclamation with a proper reward, should, by the governor be issued, for the apprehending and bringing to justice the persons concerned, which was accordingly done. In July following, a warrant was granted for the apprehending one Aaron Briggs, a negro, then on board your Majesty's ship the Beaver, commanded by Capt Lindsey, for being concerned in burning the Gaspee and wounding the Lieutenant. The same was delivered to a sheriff, who, after making his business known, was refused admittance into said ship, but the captain was not then on board. Very soon after such refusal the captain was informed of said warrant and requested to deliver up the negro, whom he acknowledged was on board, but treated the civil authority in a most contemptuous and unjustifiable manner. Here the civil magistrates ceased their endeavors to discover the offenders; for, though there was a Superior Court held in and for the county of Kent in October following the burning the Gaspee, at which the second justice presided, the chief justice being absent, not any charge was given to the grand jury to inquire into that atrocious breach of law, nor any information thereof by the then acting Attorney General, nor was any thing done thereon that we can discover.

Having now laid before your Majesty the substance of the proofs relative to the destruction of the Gaspee, the barbarity and insolence exercised upon the commander and seamen belonging to her, with other necessary matters, we proceed, in obedience to your Majesty's directions, to assign some probable cause which we conceive might lead to so bold a violation of your Majesty's laws and authority.

The great impatience of some people in this colony under any restraint of trade, however illicit; the check which your Majesty's navy officers have put to such trade by the necessary aid and assistance which they have afforded the revenue officers; the plundering and burning a sloop called the Liberty in this harbor, in July 1769, then employed in your Majesty's revenue service, and commanded by William Reid, liberating a vessel and cargo then under seizure by said commander, and in a violent and outrageous manner assaulting and detaining him in this town, in duress, till the accomplishment of the above facts; the same night dragging two boats, belonging to said sloop, through the streets and burning them; and the perpetrators of the above outrage escaped with impunity; not one person being so much as apprehended on this occasion. It must be further, with humble submission to your Majesty, remarked, that it does not appear to us,

that any complaint or information was given to any peace officer or other magistrate against any person whatever, as concerned in the above transaction, excepting four depositions, taken before a single magistrate, and which do not appear to have been laid before the Governor and council, or to have had any effect. Certain persons, principal inhabitants of the town of Providence, in March preceding the burning of the Gaspee, complained to the deputy governor, also an inhabitant of that place, against the conduct of Lieutenant Duddingston for disturbing and obstructing their vessels and boats, firing at and searching them, without showing any commission for so doing, and requested the deputy governor to inform the Governor thereof, that he might inquire into the said Lieutenant's authority; on which the deputy governor laid the same before the chief justice, also an inhabitant of the town of Providence, for his opinion, how to conduct in the affair, to which he soon returned an answer to the following purpose: It was his opinion, "that for any person whatever to come into this colony and in the body thereof, to exercise any authority by force of arms or otherwise, without showing his commission to the Governor, and if a custom house officer, without being sworn into his office, was guilty of a trespass, if not piracy." But what effect such an opinion might have on the minds of the perpetrators of the crime, we must most humbly submit. If Lieutenant Duddingston, on his first arrival in the harbor of Newport, had waited on the Governor, acquainting him with his power and authority, and thereby early made his duty a matter of notoriety, he would, at least, have acted a prudent part; but whether his duty obliged him so to do, we do not presume to determine. There is also too much reason to believe that in some instances Lieutenant Duddingston, from an intemperate, if not a reprehensible zeal to aid the revenue service, exceeded the bounds of his duty.

After exerting ourselves to the utmost of our abilities to collect evidence against the persons concerned in burning the Gaspee and wounding the Lieutenant, and judging that we had got all there was any probability of obtaining, we laid such before the deputy governor, the chief justice of the colony and three of his associates, among which testimonies was Aaron's, the negro, wherein some persons are expressly named and charged as guilty, and Mr. Dickinson's, late midshipman of the Gaspee, and on board at the time she was destroyed, very particularly described others. The justices were then informed that the same witness was now present, and might be by them re-examined. Soon afterwards, at the request of the judges, we also delivered them other depositions, which had been laid before us by the Governor, and which tended to discredit the testimony of said Aaron. The day following,

we received their report in the words following:

"The honorable the commissioners appointed by royal commission, for examining into the attacking and destroying his Majesty's armed schooner the *Gaspee*, commanded by Lieutenant Duddingston, and wounding the said Lieutenant, having laid before us, justices of the Superior Court of Judicature, Court of Assize, &c., within and throughout the Colony of Rhode Island, two examinations of Aaron Briggs, two examinations of Patrick Earls, the examination of Peter May, the examination of William Dickinson, the depositions of Samuel Tompkins, Samuel Thurston, and of Somerset and Jack, indentured servants, for our advisement thereon:

It appeareth unto us from due consideration had thereupon, that no particular person or persons are made mention of as being concerned in that atrocious crime, except in the examination of Aaron Briggs, a negro, and of Peter May, one of the *Gaspee's* people. The confession of the said Aaron upon his first examination was made in consequence of illegal threats from Capt. Lindsey of hanging him (the said Aaron) at the yard arm if he would not discover who the persons were that destroyed the *Gaspee*; and besides, most of the circumstances and facts related in both of his examinations are contradictions repugnant to each other, and many of them impossible in their nature. It is evident from the depositions of Tompkins, Thurston, and Aaron's two fellow servants, that he was at home the whole of that night on which the *Gaspee* was attacked; especially as there was no boat on that part of the island in which he could possibly pass the bay in the manner by him described. In short, another circumstance which renders the said Aaron's testimony extremely suspicious, is Capt. Lindsey's absolutely refusing to deliver him up to be examined by one of the Justices of the said Superior Court when legally demanded.

Peter May, in his deposition, mentions one person only, by the name of Greene, whom he says, he saw before on board the *Gaspee*; but the family of Greene being very numerous in this colony, and the said Peter not giving the Christian name or describing him in such a manner as he could be found out, it is impossible for us to know at present the person referred to. Upon the whole, we are all of opinion that the several matters and things contained in said depositions do not induce a probable suspicion, that persons mentioned therein, or either or any of them, are guilty of the crime aforesaid. It is, however, the fixed determination of the Superior Court to exert every legal effort in detecting and bringing to condign punishment the persons concerned in destroying the schooner *Gaspee*.

And if the honorable commissioners are of a different sentiment we should be glad to receive their opinion for our better information."

To the latter part of which we answered, "that by our instructions we were commanded to lay before the civil magistrates all such information as we should receive, and as it was their proper office to act thereupon, in such manner as they conceive most likely to answer the ends of public justice, we declined giving any sentiment or opinion in the matter."

Touching the depositions of Aaron, the negro, we humbly conceive it our duty to declare to your Majesty, that the conduct of Capt. Lindsey tended too strongly to extort from a weak or wicked mind declarations not strictly true; that some parts of said depositions falsify others; that allowing the account he gave of the time he left the Island called Providence, the place of his residence, on the night the *Gaspee* was burnt, and his return thither, to be true, or even near the truth, must render his being at the taking and destroying her, totally impossible, the distance being so great between Namquit Point and said Island. In addition to all which, there is full and satisfactory evidence to prove him, the whole of that night, to have been at home, and the request which he deposed was made him, to carry a person off said Island that night, and which he declared was the occasion of his going from home, proved on the examination of the very person, to be an absolute falsehood; and therefore we are most humbly of opinion, no credit is due to said Aaron's testimony.

May it please your Majesty, the civil magistrates being entrusted with the power of apprehending and committing, and having determined against both, upon the evidence before them, and there being no probability of our procuring any further light on the subject determines our inquiry.

All which is most humbly submitted to your Majesty's royal wisdom.

*J. Wanton, Fred. Smythe,
Dan. Horsmanden, Robt. Auchmuty.*
NEWPORT. Rhode Island, June 22, 1773.

The meeting of these commissioners attracted the attention of the House of Burgesses in Virginia, and led to the appointment of committees of correspondence, in the several colonies. In March, 1773, the House resolved to appoint a committee of correspondence and enquiry, consisting of eleven persons, to obtain the earliest information of the proceedings of the British Parliament and to keep up a correspondence with the sister colonies. They were instructed without delay, "to inform themselves particularly of the principles and authority on which was constituted a court of enquiry, said to have been lately held in Rhode Island, with power to transport persons accused of offences com-

mitted in America, to places beyond seas to be tried."

In reviewing the report of the commissioners, our surprise is not so much excited at the conclusion to which they came from the evidence before them, as at the small amount of testimony they collected. It would be doing great injustice to the memories and characters of Gov. Wanton, Judges Horsmanden, Oliver and Auchmuty, to suppose that they suppressed any evidence, or did not exert themselves to the utmost to procure testimony. The course they afterwards took in the war of the revolution, when they joined the ministerial party in the country, is a sufficient guaranty that they were, by no means, lukewarm in the service of his Majesty. They were surrounded, too, at the time of their sessions, by the officers of the crown, and individuals high in rank and standing, who were eager in the chase of those who insulted their sovereign in the person of his representative, Lieut. Duddingston. Under these circumstances, it is passing strange, that no persons could be found, who could identify those engaged in the enterprise, or that the great reward offered on the occasion should not have induced some one to have turned informer. That the enterprise was suddenly conceived, there can be no doubt; but every circumstance shows, that no great care was used to preserve secrecy. They were called together by the beating of a drum in the streets. The collecting of the boats, the assembling at a public house, the embarking from a public wharf, all must have attracted the notice of the inhabitants. The parties assumed no disguise of any kind but went in their usual dress. Among them were some, little conscious of the crime they were committing and the penalty they were incurring. Mr. John Howland says, that on the morning after the affair, Justin Jacobs, a young man, was parading himself on "the great bridge," then the usual place of resort, with Lieutenant Duddingston's gold faced beaver on his head, detailing to a circle around him the particulars of the transaction, and the manner in which he obtained the hat from the cabin of the *Gaspee*. It required sharp words to induce him to retire and hold his peace. There were others, probably, equally indiscreet; and yet not an individual could

be found who knew anything about the affair.

With the following song, made on the occasion, it is designed to close this prolix account of the *Gaspee*:

SONG.

'Twas in the reign of George the Third,
Our public peace was much disturbed
By ships of war that came and laid
Within our ports, to stop our trade.
Seventeen hundred and seventy-two,
In Newport Harbor lay a crew,
That played the parts of pirates there,
The sons of freedom could not bear.
Sometimes they weighed and gave them chase,
Such actions sure were very base.
No honest coaster could pass by
But what they would let some shot fly;
And did provoke, to high degree,
Those true born sons of liberty;
So that they could not longer bear
Those sons of Belial staying there.
But 'twas not long 'fore it fell out,
That William Duddingston, so stout,
Commander of the *Gaspee* tender,
Which he has reason to remember,
Because, as people do assert,
He almost had his just desert,
Here on the tenth day of last June,
Betwixt the hours of twelve and one,
Did chase the sloop, called the *Hannah*,
Of whom one Lindsey was commander.
They dogged her up Providence Sound,
And there the rascal got aground.
The news of it flew that very day,
That they on Namquit Point did lay.
That night about half after ten
Some Narragansett Indian men,
Being sixty-four, if I remember,
Which made the stout coxcomb surrender,
And what was best of all their tricks,
They in his breech a ball did fix;
Then set the men upon the land,
And burnt her up, we understand;
Which thing provoked the King so high
He said those men shall surely die;
So if he could but find them out,
The hangman he'll employ, no doubt;
For he's declared, in his passion,
He'll have them tried a new fashion.
Now for to find these people out
King George has offered very stout,
One thousand pounds to find out one
That wounded William Duddingston.
One thousand more he says he'll spare,
For those who say they sheriffs were.

One thousand more there doth remain
 For to find out the leader's name ;
 Likewise five hundred pounds per man
 For any one of all the clan.
 But let him try his utmost skill,
 I'm apt to think he never will
 Find out any of those hearts of gold,
 Though he should offer fifty fold.

The name of the author of this song is lost.
 He richly deserves the thanks, not only of
 his cotemporaries, but of posterity ; not so
 much for the sweet poetry of his song, as for

the ballad shape in which he invested the
 transaction. Undoubtedly, some tune was
 found, at the time, to match it, notwithstanding
 the limping gait of some of the stanzas ;
 and as it was sung in the circle of boon com-
 panions, they recalled the light of the burning
 Gaspee to their recollection, and hailed it as
 being, what subsequent events have shown
 it to be, the dawning light of freedom, whose
 mid-day effulgence now overspreads our
 land.





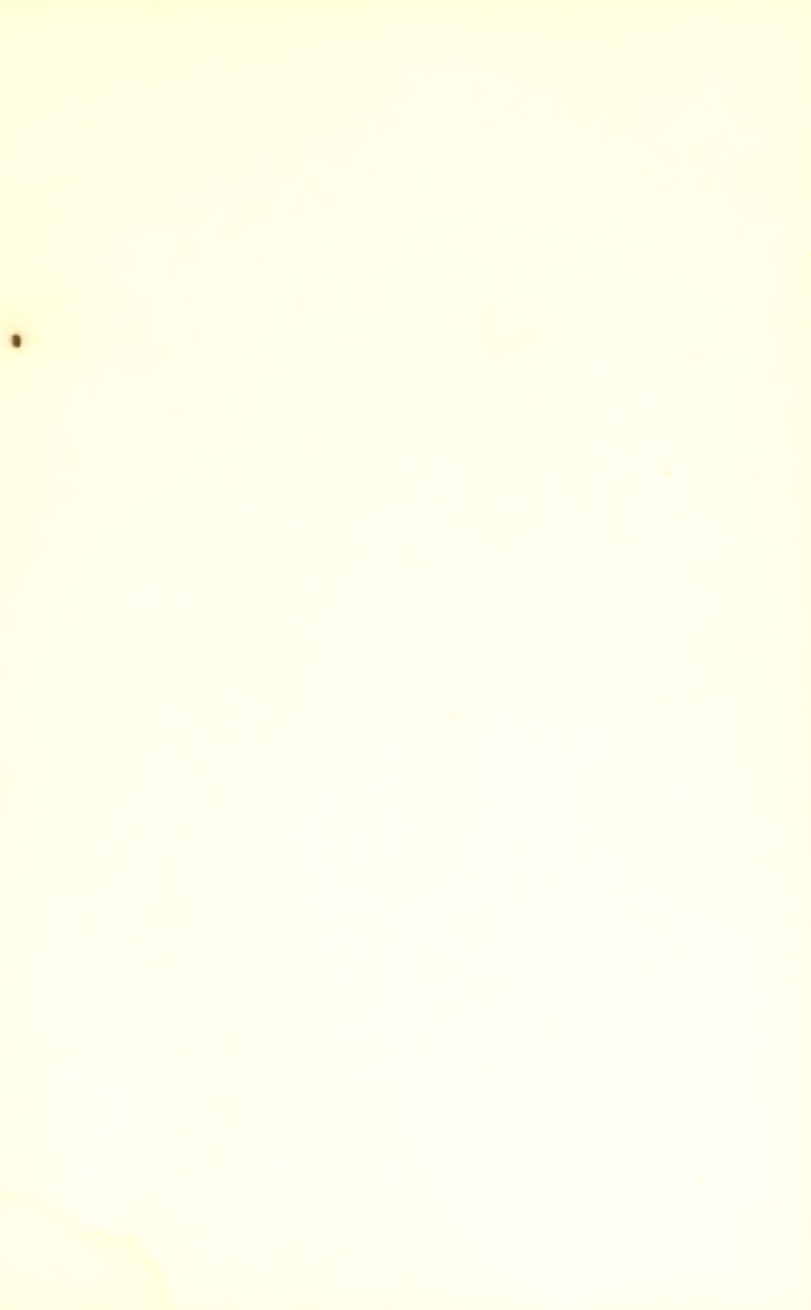














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